

# **EXHIBIT “1”**

**LELAND J. NELSON**  
**VILELA vs VALLEY HEALTH SYSTEM**

July 09, 2018

1-4

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AMY VILELA, an individual;

JOZETTE FIGUEREDO, an individual;

AMY VILELA, a Special Administrator

of the Estate of SHALYNNE RAMOS,

Plaintiffs,

vs.

CASE NO. 2:16-CV-01503

VALLEY HEALTH SYSTEM, LLC, d/b/a

CENTENNIAL HILLS HOSPITAL MEDICAL

CENTER, a Nevada Limited Liability

Company; UNIVERSAL HEALTH SERVICES

OF DELAWARE, INC., a Delaware

corporation; TANYA NETZ, PAC; JILL

MCATEE, RN; DOE Defendants I

through X, inclusive; ROE NURSES

I through XX, inclusive; ZOE

HOSPITALS or OTHER MEDICAL

FACILITIES I through X; and

ROE CORPORATIONS I through X,

inclusive,

Defendants.

~~~~~

DEPOSITION OF

LELAND JAMES NELSON

July 9, 2018

10:00 a.m.

7900 West Sahara Avenue

Suite 200

Las Vegas, Nevada

Gary F. Decoster, CCR No. 790

Page 1

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

INDEX OF EXAMINATION

WITNESS: LELAND JAMES NELSON

By Mr. Tyler

4

By Mr. Weiss

78

By Mr. Gish

88

By Mr. Weiss

89

By Mr. Gish

90

INDEX TO EXHIBITS

Exhibit

Description

Initial

Reference

A

Text messages

69

Page 3

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

APPEARANCES OF COUNSEL

For the Plaintiffs:

LAW OFFICES OF CASEY D. GISH

CASEY D. GISH, ESQ.

5940 South Rainbow Boulevard

Las Vegas, Nevada 89118

702.583.5883

702.483.4608 Fax

casey@gishlawfirm.com

For the Defendants Valley Health System, LLC

d/b/a Centennial Hills Hospital Medical Center

and Jill Mcatee, RN:

HALL PRANGLE & SCHOONVELD, LLC

CASEY TYLER, ESQ.

1160 North Town Center Drive

Suite 200

Las Vegas, Nevada 89144

702.889.6400

702.384.6025 Fax

ctyler@hpslaw.com

For the Defendant Tanya Netz, PAC:

JOHN H. COTTON & ASSOCIATES, LTD.

TODD WEISS, ESQ.

7900 West Sahara Avenue

Suite 200

Las Vegas, Nevada 89117

702.832.5909

702.832.5910 Fax

tweiss@jhcottonlaw.com

Page 2

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Deposition of Leland James Nelson

July 9, 2018

(Prior to the commencement of the

deposition, all of the parties present agreed to

wave statements by the court reporter, pursuant

to Rule 30(b)(4) of NRCP.)

LELAND JAMES NELSON, having been first duly

sworn, was examined and testified as follows:

EXAMINATION

BY MR. TYLER:

Q. Good morning. I introduced myself briefly

before we went on the record. My name is Casey Tyler.

I represent Valley Health Systems, which would be

Centennial Hills Hospital, in certain litigation

that's been filed on behalf of Shalynne as well as her

family.

You're here to testify as a fact witness

regarding certain circumstances that happened with

regard to the underlying facts of the case; do you

understand that?

A. Yes.

Q. Okay. Have you ever given a deposition

before?

A. No.

Page 4

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

5-8

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 5</p> <p>1 Q. I'm going to run through what we call the</p> <p>2 admonitions; just a fancy word for the rules of the</p> <p>3 deposition, all right?</p> <p>4 A. Okay.</p> <p>5 Q. You just took an oath. The oath you took is</p> <p>6 the same oath you would take if you were sitting on</p> <p>7 the stand in the courtroom, same obligation to tell</p> <p>8 the truth, same penalties apply if you don't tell the</p> <p>9 truth; do you understand that?</p> <p>10 A. Yes.</p> <p>11 Q. You're doing a really good job of answering</p> <p>12 my questions, giving me verbal answers. You're also</p> <p>13 nodding your head.</p> <p>14 It's important that we give verbal answers,</p> <p>15 so if you nod your head or shrug your shoulders, I may</p> <p>16 say is that a yes, is that a no. I'm not trying to be</p> <p>17 rude. I just want to make a clear record for the</p> <p>18 court reporter, okay?</p> <p>19 A. Okay.</p> <p>20 Q. Okay. Same thing with uh-uh, uh-huh. It may</p> <p>21 not be clear what you mean on that. We may say again,</p> <p>22 is that a yes, is that a no, okay?</p> <p>23 A. Okay.</p> <p>24 Q. You're also doing a really good job of</p> <p>25 letting me finish my questions before you answer. In</p>                                                                                                  | <p style="text-align: right;">Page 7</p> <p>1 went back and you rewrote it and said I had a green</p> <p>2 light, the other car came out of nowhere, that's</p> <p>3 something we can test your credibility on because it's</p> <p>4 such a major substantive change.</p> <p>5 Similarly, if you testify at trial in this</p> <p>6 matter and you're on the stand and you testify that</p> <p>7 you had the green light, we can bring up your</p> <p>8 transcript from today and show you that in fact you</p> <p>9 said earlier under oath that it was a red light, you</p> <p>10 were texting and you weren't paying attention; do you</p> <p>11 understand that?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. For that same reason, it's very</p> <p>14 important that you give your best testimony today, so</p> <p>15 if you don't understand one of my questions, it's just</p> <p>16 a poorly worded question, you need some clarification,</p> <p>17 let me know; because otherwise when you answer that</p> <p>18 question, we're going to assume that you understood it</p> <p>19 and that your answer was the appropriate answer for</p> <p>20 that question --</p> <p>21 A. Okay.</p> <p>22 Q. -- do you understand? Okay.</p> <p>23 Is there anything that would inhibit your</p> <p>24 ability to testify today?</p> <p>25 A. No.</p> |
| <p style="text-align: right;">Page 6</p> <p>1 normal speech pattern, we tend to talk over each</p> <p>2 other. I'll try to let you finish your answer and you</p> <p>3 try to let me finish my question, okay?</p> <p>4 A. Okay.</p> <p>5 Q. Certain points there may be objections made</p> <p>6 by one of the attorneys. If they make an objection,</p> <p>7 just stop whatever you're saying at that point, let</p> <p>8 them get that objection out there, and then you'll</p> <p>9 still answer the question unless instructed otherwise,</p> <p>10 okay?</p> <p>11 A. Okay.</p> <p>12 Q. There will be a transcript that is created of</p> <p>13 this testimony. That will come back. It will be a</p> <p>14 booklet. It will look like a script for a movie or a</p> <p>15 play. It will be verbatim everything we talk about</p> <p>16 here today.</p> <p>17 You get a chance to review that if you choose</p> <p>18 to, and you can make changes to that. I have to</p> <p>19 caution you, though, if you make a major substantive</p> <p>20 change, that's something we can make a comment upon to</p> <p>21 test your credibility.</p> <p>22 What I mean by that is, let's pretend this</p> <p>23 was a car wreck case and you said today during your</p> <p>24 testimony, I'm not sure what color the light was, I</p> <p>25 had spilled my coffee and I was texting. Then you</p> | <p style="text-align: right;">Page 8</p> <p>1 Q. Okay. Please give us your full name.</p> <p>2 A. Leland James Nelson.</p> <p>3 Q. And what's your address?</p> <p>4 A. 2828 Windstorm Avenue.</p> <p>5 Q. Is that Las Vegas?</p> <p>6 A. Yes.</p> <p>7 Q. What's the ZIP code?</p> <p>8 A. I just moved there. I want to say 89032.</p> <p>9 Q. What's the closest major cross streets?</p> <p>10 A. Simmons and Lake Mead.</p> <p>11 Q. And are you employed?</p> <p>12 A. Yes.</p> <p>13 Q. Where at?</p> <p>14 A. FedEx.</p> <p>15 Q. And what do you do there?</p> <p>16 A. I'm a courier.</p> <p>17 Q. How long have you worked there?</p> <p>18 A. I have been there for six years.</p> <p>19 Q. And would I be correct in assuming you were</p> <p>20 employed there during the applicable time frame we're</p> <p>21 going to be talking about today?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you have any kind of medical</p> <p>24 training?</p> <p>25 A. No.</p>                                                                                                                                                                                                                                                                                                                                                                |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

9-12

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 9</p> <p>1 Q. You ever worked in any kind of hospital<br/>2 setting?<br/>3 A. No.<br/>4 Q. Okay. And don't be offended by this. I ask<br/>5 everyone this question. Have you ever been convicted<br/>6 of a felony or a crime of dishonesty?<br/>7 A. No.<br/>8 Q. What did you do to prepare for today's<br/>9 deposition?<br/>10 A. I looked over my affidavit.<br/>11 Q. Anything else?<br/>12 A. And I talked to Mr. Gish about the<br/>13 deposition.<br/>14 Q. When did you talk to him?<br/>15 A. Last night.<br/>16 Q. And what did you guys discuss?<br/>17 A. My affidavit and to prep me for today.<br/>18 Q. Do you have any specific recollection of that<br/>19 discussion? I mean, was it just walking through the<br/>20 affidavit and make sure you know these facts or<br/>21 did you discuss things that have substantively<br/>22 happened in the lawsuit?<br/>23 A. Just what's on my affidavit and pretty much<br/>24 told me just tell the truth, so . . .<br/>25 Q. Were there any discussions about other</p> | <p style="text-align: right;">Page 11</p> <p>1 Q. Okay. And then you were asked to come in for<br/>2 a meeting?<br/>3 A. Yes.<br/>4 Q. Okay. And then during that meeting, did you<br/>5 have discussions about what you recall of the events?<br/>6 A. Yes.<br/>7 Q. Okay. In terms of the content of the<br/>8 affidavit, is that all information that was provided<br/>9 by you or is that something that was pretty much a<br/>10 finished product and you just said yeah, that looks<br/>11 good?<br/>12 A. No, I provided all the information.<br/>13 Q. Okay. And did you have anything -- any input<br/>14 on the finished product or was that something that was<br/>15 typed up after that meeting based on the conversation?<br/>16 A. No, I gave everything.<br/>17 Q. I'm assuming you read it over before you<br/>18 signed it?<br/>19 A. Yes.<br/>20 Q. Okay. Did you feel all that information was<br/>21 accurate at that time?<br/>22 A. Yes.<br/>23 Q. Do you still feel that that information is<br/>24 accurate?<br/>25 A. Yes.</p>                                      |
| <p style="text-align: right;">Page 10</p> <p>1 people's testimony in the case?<br/>2 A. No.<br/>3 Q. Were there any discussions about the facts of<br/>4 the case that are outside of the content of the<br/>5 affidavit?<br/>6 A. No.<br/>7 Q. Okay. Anything else you remember about that<br/>8 discussion?<br/>9 A. No, other than just tell the truth.<br/>10 Q. How long did you talk?<br/>11 A. About an hour.<br/>12 Q. I'm assuming prior to that at some point<br/>13 you've met with Mr. Gish before?<br/>14 A. Yes.<br/>15 Q. When was that?<br/>16 A. I met with him about a couple years ago.<br/>17 Q. And describe for me the context of that<br/>18 meeting.<br/>19 A. It was just about my affidavit and for him<br/>20 to -- and he typed it up.<br/>21 Q. Was this meeting arranged by Amy?<br/>22 A. No, it was arranged by Mr. Gish.<br/>23 Q. Okay. So I'm assuming that his office<br/>24 reached out to you?<br/>25 A. Yes.</p>                                                                                                                   | <p style="text-align: right;">Page 12</p> <p>1 Q. Okay. Any other meetings with Mr. Gish's<br/>2 office?<br/>3 A. No.<br/>4 Q. Have you had any other discussions with<br/>5 Shalynne's family about the status of the litigation<br/>6 since you did your affidavit?<br/>7 A. No.<br/>8 Q. Talk to anybody else about the lawsuit other<br/>9 than Mr. Gish to get ready for today?<br/>10 A. No.<br/>11 Q. We had previously noticed your deposition and<br/>12 you weren't able to appear; do you recall that?<br/>13 A. Yes.<br/>14 Q. Okay. Could you explain for me what happened<br/>15 on that date?<br/>16 A. I didn't -- I didn't see the -- I guess he<br/>17 e-mailed me, and I rarely check my e-mail, so I never<br/>18 saw it, and when I asked about it, it was like the day<br/>19 of.<br/>20 Q. Okay. Did you have a work conflict or what<br/>21 was the problem?<br/>22 A. I just didn't -- I didn't check my e-mail and<br/>23 then I didn't see it.<br/>24 Q. Okay. So when you first realized that the<br/>25 deposition was that day, it was after it had already</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

13-16

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 13</p> <p>1 started or --</p> <p>2 A. Yeah, it was already too late.</p> <p>3 Q. Okay. Any other conversations with anyone</p> <p>4 regarding the facts of this lawsuit other than when</p> <p>5 you initially did your affidavit and then your prep</p> <p>6 session last night?</p> <p>7 A. Can you repeat that?</p> <p>8 Q. Sure. Did you have any other conversations</p> <p>9 with anybody regarding the facts of this litigation</p> <p>10 other than your initial meeting with Mr. Gish to do</p> <p>11 your affidavit and then your prep session last night?</p> <p>12 A. No.</p> <p>13 Q. Do you still have any kind of relationship</p> <p>14 with Shalynne's family?</p> <p>15 A. Yes.</p> <p>16 Q. What kind of relationship?</p> <p>17 A. Talk now and then, see how each other's</p> <p>18 doing, and that's about it.</p> <p>19 Q. And who would that be with?</p> <p>20 A. Her mom, Amy.</p> <p>21 Q. Amy?</p> <p>22 A. Yeah.</p> <p>23 Q. How frequently do you talk to Amy?</p> <p>24 A. Once every couple months or around Shalynne's</p> <p>25 birthday or anniversary of her death.</p> | <p style="text-align: right;">Page 15</p> <p>1 meeting that month?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And at that point did you begin to</p> <p>4 date or what was the status of your relationship?</p> <p>5 A. Just talking.</p> <p>6 Q. At this juncture, did she still live in</p> <p>7 Missouri?</p> <p>8 A. Yes, but she was thinking about moving, yes.</p> <p>9 Q. Okay. When you first began communicating</p> <p>10 with her online in November of 2014, was she in</p> <p>11 Las Vegas visiting her mom, was she still in Missouri,</p> <p>12 do you know one way or another?</p> <p>13 A. She was in Las Vegas.</p> <p>14 Q. Okay. When did you guys first meet in</p> <p>15 person?</p> <p>16 A. In November 2014.</p> <p>17 Q. Okay. Could you describe for me how your</p> <p>18 relationship progressed up to the time that she moved</p> <p>19 to Las Vegas permanently?</p> <p>20 A. We eventually became boyfriend and</p> <p>21 girlfriend.</p> <p>22 Q. Was there a period there where it was long</p> <p>23 distance?</p> <p>24 A. Yeah.</p> <p>25 Q. Okay. Why don't you just describe for me the</p>                                                                                                                                                                 |
| <p style="text-align: right;">Page 14</p> <p>1 Q. Is that usually on the phone, text message,</p> <p>2 Facebook?</p> <p>3 A. Phone.</p> <p>4 Q. Anyone else?</p> <p>5 A. No.</p> <p>6 Q. When was the last time you talked to her?</p> <p>7 A. I think couple weeks before -- maybe</p> <p>8 beginning of June, I want to say, beginning of June.</p> <p>9 Q. During these conversations, have you</p> <p>10 discussed the lawsuit at all?</p> <p>11 A. No.</p> <p>12 Q. Okay. When did you first meet Shalynne?</p> <p>13 A. I met her in November.</p> <p>14 Q. Of what year?</p> <p>15 A. Of 2015 -- no, '14, 2014.</p> <p>16 Q. And how did you guys meet?</p> <p>17 A. Online dating.</p> <p>18 Q. Was it a particular site or --</p> <p>19 A. Yeah, it was . . .</p> <p>20 Q. Do you remember what it was?</p> <p>21 A. Oh, it was Tinder.</p> <p>22 Q. Okay. Do you know whether or not she was</p> <p>23 still married at that time?</p> <p>24 A. No, I don't know.</p> <p>25 Q. Okay. Did you guys have some sort of date or</p>                                                                                                       | <p style="text-align: right;">Page 16</p> <p>1 frequency that you had as far as communication and</p> <p>2 interaction with her from meeting her in November</p> <p>3 through her moving here in May.</p> <p>4 A. All right. Well, we talked every day and we</p> <p>5 talked at Facetime every day, and then I went out to</p> <p>6 see her in March for about a week and a half, and then</p> <p>7 when I went back, we talked all the way till she moved</p> <p>8 out here.</p> <p>9 Q. When you went to visit her in March, was she</p> <p>10 having any kind of problems with her leg?</p> <p>11 A. Yes.</p> <p>12 Q. What do you recall the problems being?</p> <p>13 A. Her knee was -- her knee was hurting and like</p> <p>14 her lower leg was hurting, lower leg, like around the</p> <p>15 calf area.</p> <p>16 Q. And do you know if this would have been early</p> <p>17 March, mid-March, end of March?</p> <p>18 A. For --</p> <p>19 Q. When you went to visit her.</p> <p>20 A. It was late March.</p> <p>21 Q. Okay. Did she provide you any specific</p> <p>22 description of how her knee or lower leg were hurting?</p> <p>23 A. It was just -- she just said it just hurt</p> <p>24 really bad at that time.</p> <p>25 Q. Do you know if she'd sought any kind of</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
17-20

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 17</p> <p>1 medical care?</p> <p>2 A. I don't know.</p> <p>3 Q. Did she give you any kind of indication how</p> <p>4 long it had been hurting?</p> <p>5 A. Since maybe January.</p> <p>6 Q. Did you have any kind of idea of what the</p> <p>7 cause of it was or what she thought the cause of it</p> <p>8 was?</p> <p>9 A. She was playing a game with her brother and</p> <p>10 she felt it do like a little tweak or something.</p> <p>11 Q. And you say felt a little tweak, was that in</p> <p>12 her knee?</p> <p>13 A. Yeah, I think she said it was like in her</p> <p>14 knee.</p> <p>15 Q. So you'd mentioned her knee and lower leg.</p> <p>16 Was her primary concern her knee or was it also the</p> <p>17 part below the knee?</p> <p>18 A. At that time, I know it was the knee. Then</p> <p>19 later on, like I know when she got there, it was her</p> <p>20 lower leg.</p> <p>21 Q. When you say got there, you mean when she</p> <p>22 moved to Vegas?</p> <p>23 A. Got to Vegas, yes, sorry.</p> <p>24 Q. Okay. Did she provide you any other</p> <p>25 explanation or further description of her leg pain</p>                                                        | <p style="text-align: right;">Page 19</p> <p>1 A. Okay.</p> <p>2 Q. And it says that you personally observed</p> <p>3 swelling. So do you think it was the 25th or do you</p> <p>4 think it was the 28th?</p> <p>5 A. Well, it might have been the 25th, just I</p> <p>6 remember we was going to a concert that day, so it was</p> <p>7 the first day she got there, I seen her.</p> <p>8 Q. Okay. Was that the Kevin Hart show?</p> <p>9 A. Yeah.</p> <p>10 Q. Okay. And that was at Mandalay Bay?</p> <p>11 A. Yeah.</p> <p>12 Q. So let's back up for a second.</p> <p>13 After your visit in March up until you first</p> <p>14 saw her in late May, did you have any other</p> <p>15 conversations with her regarding her leg?</p> <p>16 A. No.</p> <p>17 Q. Was it anything she mentioned at all during</p> <p>18 Facetime or phone calls?</p> <p>19 A. No, not really.</p> <p>20 Q. Do you know if she sought any medical care in</p> <p>21 that window?</p> <p>22 A. Not that I know -- I don't really know.</p> <p>23 Q. Okay. Now, when you see her on what we think</p> <p>24 was probably the 25th, where did you meet her?</p> <p>25 A. She came to my place so we could go to the</p> |
| <p style="text-align: right;">Page 18</p> <p>1 when you were visiting in March?</p> <p>2 A. No.</p> <p>3 Q. Did you observe any physical limitation, for</p> <p>4 example, she was limping, she couldn't walk?</p> <p>5 A. Like whenever she like actually walked a</p> <p>6 certain way and if it like popped or something, of</p> <p>7 course she was limping then.</p> <p>8 Q. Do you know if she had any intention at that</p> <p>9 point in time to seek medical care regarding her leg?</p> <p>10 A. I don't know.</p> <p>11 Q. After that visit to Missouri in March, late</p> <p>12 March, did you see her in person again before she</p> <p>13 moved to Las Vegas?</p> <p>14 A. No.</p> <p>15 Q. When's the first time you saw her when she</p> <p>16 arrived in Las Vegas; do you remember the date?</p> <p>17 A. May 20 -- I want to say May 28th, 2015.</p> <p>18 Q. Okay.</p> <p>19 A. The first day she got there, I seen her.</p> <p>20 Q. So just so we're clear on the dates, because</p> <p>21 it's not a memory contest for you, but the affidavit</p> <p>22 that you signed says that she drove to Las Vegas on</p> <p>23 May 23rd.</p> <p>24 A. Okay.</p> <p>25 Q. And that she arrived on May 25th.</p> | <p style="text-align: right;">Page 20</p> <p>1 concert.</p> <p>2 Q. And I'm assuming that was a different</p> <p>3 apartment since you just moved.</p> <p>4 A. Yeah, that was -- that was a whole different</p> <p>5 apartment.</p> <p>6 Q. Do you remember where that was?</p> <p>7 A. 3260 Fountain Falls Way. I can't remember</p> <p>8 the apartment.</p> <p>9 Q. Was it just the two of you?</p> <p>10 A. It was me, her and her friend that helped --</p> <p>11 that helped her drive out here.</p> <p>12 Q. Do you remember her name?</p> <p>13 A. Kaylyn.</p> <p>14 Q. And were the three of you together all night?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. What do you recall as far as</p> <p>17 Shalynne's condition with her leg when you first saw</p> <p>18 her that day?</p> <p>19 A. It was -- it seemed normal at that point. I</p> <p>20 mean, she said it was hurting, like she had like a</p> <p>21 little limp, but it was pretty much normal than what</p> <p>22 it was.</p> <p>23 Q. Did she specifically say it was hurting?</p> <p>24 A. No.</p> <p>25 Q. Did she mention at all anything about her</p>                                                                       |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

21-24

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 21</p> <p>1 leg?</p> <p>2 A. That night? No.</p> <p>3 Q. And I shook my head yes.</p> <p>4 Did you notice anything out of the ordinary</p> <p>5 that night?</p> <p>6 A. No.</p> <p>7 Q. Okay. Did she say anything about any kind of</p> <p>8 problems during the drive out or issues with her leg?</p> <p>9 A. Yeah, her leg was hurting.</p> <p>10 Q. To the best of your recollection, can you</p> <p>11 tell me verbatim what she told you that night about</p> <p>12 the drive out?</p> <p>13 A. She just said it was long and whenever her</p> <p>14 leg really started -- like when it started hurting,</p> <p>15 she had her friend drive so she could give her leg a</p> <p>16 rest. That was about it.</p> <p>17 Q. Did she describe at all how it was hurting?</p> <p>18 A. Just the normal pain that she's had,</p> <p>19 just . . .</p> <p>20 Q. So kind of like the tweak we had talked about</p> <p>21 when she -- after she'd hurt it?</p> <p>22 A. Yeah, like it was like, yeah, like it hurt</p> <p>23 kind of thing.</p> <p>24 Q. Any other specifics about how it might have</p> <p>25 hurt or when it might have hurt?</p>                                                          | <p style="text-align: right;">Page 23</p> <p>1 that we turned back around. So I don't know exactly</p> <p>2 where that was at, but that's the only thing I can</p> <p>3 remember from that.</p> <p>4 Q. Somebody dressed up as Chewbacca?</p> <p>5 A. Yeah.</p> <p>6 Q. Okay. I know a lot of times those people are</p> <p>7 like in front of the Bellagio; do you think it was</p> <p>8 there or --</p> <p>9 A. No, I don't think we went that far. I think</p> <p>10 it was like -- I want to -- I want to say maybe it was</p> <p>11 a little bit past the M &amp; M Store, so I don't know</p> <p>12 what hotel that is off the top of my head.</p> <p>13 Q. The one where like there's like an arcade and</p> <p>14 stuff there?</p> <p>15 A. I don't know if there's an arcade. I just</p> <p>16 know there's like the M &amp; Ms are out there. I've</p> <p>17 never actually been inside the store.</p> <p>18 Q. It's on the opposite side of the Strip, like</p> <p>19 across the street from the Mandalay Bay side?</p> <p>20 A. Yeah.</p> <p>21 Q. Okay.</p> <p>22 A. Yeah, it's over there.</p> <p>23 Q. So kind of like by New York-New York?</p> <p>24 A. Somewhere around there, yeah.</p> <p>25 Q. Okay. Any problems walking around?</p>             |
| <p style="text-align: right;">Page 22</p> <p>1 A. Like how -- like she just -- she just told me</p> <p>2 that it was just like her knee.</p> <p>3 Q. Any other complaints she had regarding her</p> <p>4 lower leg that you recall that night?</p> <p>5 A. No.</p> <p>6 Q. Okay. And as far as her ability to attend</p> <p>7 the concert and go out with you that night, no --</p> <p>8 A. It was fine, yeah.</p> <p>9 Q. That show, was that in a theater, was it at</p> <p>10 the beach, do you remember where it was?</p> <p>11 A. It was in the theater.</p> <p>12 Q. Okay. No problems getting around -- Mandalay</p> <p>13 Bay is a big place; she didn't have a problem getting</p> <p>14 around?</p> <p>15 A. No.</p> <p>16 Q. Okay. Did you -- I'm assuming you guys</p> <p>17 probably did more than go just to the show and</p> <p>18 straight home?</p> <p>19 A. Yeah, we went to -- we walked around the</p> <p>20 Strip.</p> <p>21 Q. Do you remember, did you go all the way from</p> <p>22 Mandalay to the Stratosphere or --</p> <p>23 A. No, we went from Mandalay to -- I don't even</p> <p>24 remember -- Mandalay to the -- only thing I remember</p> <p>25 is that we saw Chewbacca, that was it, and then after</p> | <p style="text-align: right;">Page 24</p> <p>1 A. Well, toward the end, she started saying</p> <p>2 that -- you know, she was starting -- her leg was</p> <p>3 starting to hurt, so we walked back.</p> <p>4 Q. And was it your impression it was the knee?</p> <p>5 A. Yeah.</p> <p>6 Q. Did you notice any kind of swelling?</p> <p>7 A. Not that night. I didn't look.</p> <p>8 Q. When did you next see her?</p> <p>9 A. I think I saw her the next day.</p> <p>10 Q. And what was the context of your meeting?</p> <p>11 A. The concert and if she had a good time.</p> <p>12 Q. Okay. Did you meet her at your apartment,</p> <p>13 did you go to --</p> <p>14 A. I went to Amy's, where she was staying.</p> <p>15 Q. Now we would have been on the 26th probably?</p> <p>16 A. Yeah.</p> <p>17 Q. Okay. Any particular observations or</p> <p>18 complaints regarding her leg?</p> <p>19 A. No, not that I can remember.</p> <p>20 Q. Okay. I'm sure you probably saw her between</p> <p>21 the 26th and the 3rd, but the 3rd is the date where</p> <p>22 the -- she did something to exacerbate her knee and</p> <p>23 went to the hospital.</p> <p>24 In between the 26th and the 3rd, any</p> <p>25 complaints at all about the leg or any observations</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

25-28

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 25</p> <p>1 you recall?</p> <p>2 A. No, not that I can remember.</p> <p>3 Q. So that would have been about a week. During</p> <p>4 that week, did you see her more?</p> <p>5 A. Yeah.</p> <p>6 Q. Every day or --</p> <p>7 A. Yeah, pretty much.</p> <p>8 Q. Okay. And you've kind of already answered</p> <p>9 this question, but during that time frame where you</p> <p>10 see her every day for the next seven days or so, no</p> <p>11 observations of any problems, no complaints about the</p> <p>12 lower leg?</p> <p>13 A. None that I can remember.</p> <p>14 Q. During that time frame, any kind of</p> <p>15 additional activities outside of the house, go to more</p> <p>16 shows, concerts, hiking, anything like that?</p> <p>17 A. I know, I mean, me and her went on some</p> <p>18 dates.</p> <p>19 Q. Any recollection of what you guys did?</p> <p>20 A. Just went out to eat, saw a movie. Just went</p> <p>21 out to eat and saw movies, that's it.</p> <p>22 Q. Okay. Anything that would cause physical</p> <p>23 exertion on her leg?</p> <p>24 A. No.</p> <p>25 Q. Okay. And as far as you recall during these</p>                            | <p style="text-align: right;">Page 27</p> <p>1 complaints about her inability to complete the hike or</p> <p>2 any problems with the hike?</p> <p>3 A. I don't know.</p> <p>4 Q. On May 26th, did you go to Drai's nightclub</p> <p>5 with Shalynne?</p> <p>6 A. No, I had to work.</p> <p>7 Q. On the 29th, did you go to Encore Beach Club?</p> <p>8 A. No, I had to work.</p> <p>9 Q. Okay. What about the Bow Wow and Jermaine</p> <p>10 Dupri concert?</p> <p>11 A. Uh-uh, had to work.</p> <p>12 Q. How about on the 31st, did you go to the</p> <p>13 Encore Beach Club?</p> <p>14 A. No.</p> <p>15 Q. Okay. Were you aware that Shalynne went to</p> <p>16 those events?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Do you recall her having any kind of</p> <p>19 problems attending those events or complaints about</p> <p>20 her leg?</p> <p>21 A. No.</p> <p>22 Q. So I'm going to turn our attention to the</p> <p>23 3rd, okay? And I'll represent to you, at least</p> <p>24 according to your affidavit, that was the date that</p> <p>25 you -- I think you and her were doing something and</p>                                                                                                                                                                                                                                                        |
| <p style="text-align: right;">Page 26</p> <p>1 dates, no problems, complaints, observations?</p> <p>2 A. From -- you talking about from that week from</p> <p>3 the concert, right? No.</p> <p>4 Q. Up until that day of the 3rd of June, any</p> <p>5 other recollection of any problems or observations</p> <p>6 about the leg that we haven't talked about?</p> <p>7 A. No.</p> <p>8 Q. Okay. Do you know whether she was working at</p> <p>9 that time frame?</p> <p>10 A. No, but she was looking for jobs.</p> <p>11 Q. And what do you recall her looking for as far</p> <p>12 as jobs?</p> <p>13 A. She was a CNA -- yeah, CNA, so she was</p> <p>14 looking for CNA jobs.</p> <p>15 Q. And as far as you know, other than the time</p> <p>16 she spent with you, was she at her mom's house?</p> <p>17 A. Yeah.</p> <p>18 Q. I forgot the name of her friend, but her</p> <p>19 friend that drove out with her, do you recall them</p> <p>20 discussing going on a hike together?</p> <p>21 A. No, I don't remember that.</p> <p>22 Q. Okay. Do you know whether or not they did go</p> <p>23 hiking?</p> <p>24 A. I don't really remember.</p> <p>25 Q. Did Shalynne ever provide any kind of</p> | <p style="text-align: right;">Page 28</p> <p>1 she hurt her knee, and then that also comports with</p> <p>2 the medical records as to when she went to Centennial</p> <p>3 Hills Hospital. So what I'd like to do is start with</p> <p>4 kind of where you guys met, what you were doing that</p> <p>5 day prior to the hospital.</p> <p>6 A. We were at her house -- well, Amy's house.</p> <p>7 We were swimming in the back in the pool, and then we</p> <p>8 was playing around and I picked her up, and when I --</p> <p>9 and I was putting her down, I thought like her legs</p> <p>10 were like planted or at least one leg was planted so</p> <p>11 all she had to do was put another leg down, but her</p> <p>12 legs wasn't and I dropped her and she fell right on</p> <p>13 her knee.</p> <p>14 Q. Okay. I want to make sure I understand how</p> <p>15 this worked. You were out on the side of the pool,</p> <p>16 like on the pool decking?</p> <p>17 A. Oh, no, no, okay.</p> <p>18 Q. Or you were in the pool?</p> <p>19 A. We was at the pool. Then we got out the</p> <p>20 pool, dried off, got in the house, and that's when we</p> <p>21 start playing around.</p> <p>22 Q. Okay.</p> <p>23 A. And that's when I picked her up, thought one</p> <p>24 leg was down, but it wasn't, and I dropped her and she</p> <p>25 fell on her knee.</p> |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

29-32

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 29</p> <p>1 Q. Okay. So when you say pick her up, like<br/>2 around her midsection?<br/>3 A. Yeah, like midsection, yeah.<br/>4 Q. Okay. And then you were going to set her<br/>5 back down, you thought her feet were underneath her,<br/>6 but instead she went down onto her knees?<br/>7 A. Yeah, because she was still in the air. I<br/>8 didn't realize.<br/>9 Q. Okay. Do you know, was this on tile or<br/>10 carpet or --<br/>11 A. I can't remember what the floor was.<br/>12 Q. Okay.<br/>13 A. It wasn't on carpet, I do know that.<br/>14 Q. As far as the physical impact point, though,<br/>15 it would have been directly onto her knees?<br/>16 A. Yeah, like, it was like on her knee, and as<br/>17 soon as she did, she like rolled over and like just<br/>18 was just grabbing like her knee.<br/>19 Q. Prior to that event, did she have any<br/>20 complaints about her leg that day?<br/>21 A. That day, no.<br/>22 Q. At that time frame when this initially<br/>23 happened, was it your impression that it was just her<br/>24 knee that was hurting?<br/>25 A. Yeah, that's all I thought was just her knee.</p>                            | <p style="text-align: right;">Page 31</p> <p>1 Q. And when you say told her mom, called her?<br/>2 A. Yeah, like called her and told her what --<br/>3 you know, that we got to take her to the hospital.<br/>4 Q. Any specific recollection of that<br/>5 conversation?<br/>6 A. No.<br/>7 Q. Any other discussions prior to deciding to go<br/>8 to the hospital?<br/>9 A. Say it again.<br/>10 Q. Sure. Do you recall any other discussions<br/>11 prior to deciding going to the hospital?<br/>12 A. I just -- the only ones I had was like<br/>13 can you move it? She said no, it hurts. I told her<br/>14 do you want -- I was like, well, I asked her what do<br/>15 you want to do, do you want to go to the hospital or<br/>16 do you want to try to -- what do you call it, maybe<br/>17 just like elevate it and just let it like, you know,<br/>18 calm down or whatever? And she said no, I got to go<br/>19 to the hospital, so . . .<br/>20 Q. Throughout this time frame until you were in<br/>21 the car on the way, is it your impression it's just<br/>22 her knee bothering her?<br/>23 A. In the car? Yeah, it was like she was pretty<br/>24 much saying her knee because I think that was the<br/>25 thing that -- because she felt exact like pretty much</p> |
| <p style="text-align: right;">Page 30</p> <p>1 Q. And was anybody else present?<br/>2 A. When it happened, I think her dad was there<br/>3 -- or stepdad, sorry, stepdad, stepdad -- and her two<br/>4 like little, little brothers were there.<br/>5 Q. Those are step-siblings?<br/>6 A. Yeah.<br/>7 Q. Okay.<br/>8 A. Well, half siblings.<br/>9 Q. Yeah, okay. So there's the impact. Now walk<br/>10 me through what happens next.<br/>11 A. Me and her stepdad help her out, get to the<br/>12 car, and then I drove her to the hospital.<br/>13 Q. So once she hits the ground, you said she<br/>14 immediately rolled over. Did she make any specific<br/>15 complaints like, ow, my knee or anything like that?<br/>16 A. Yeah, she was like -- because it was like the<br/>17 main impact was pretty much like her like knee, so she<br/>18 was like grabbing like her knee and like the lower<br/>19 part of her knee, and so she was like, ow, my knee, my<br/>20 knee, that's it.<br/>21 Q. Did you guys have any discussions with<br/>22 anybody else prior to getting her in the car and<br/>23 heading towards the ER?<br/>24 A. I think her -- I think her stepdad told her<br/>25 mom.</p> | <p style="text-align: right;">Page 32</p> <p>1 directly on it, so that was all that was hurting at<br/>2 that time.<br/>3 Q. And just so we're completely clear, this is<br/>4 the same knee that had been bugging her --<br/>5 A. Yes.<br/>6 Q. -- the whole time you knew her?<br/>7 A. Yes.<br/>8 Q. Okay. And was it at least your impression<br/>9 that this is just something that had exacerbated that<br/>10 existing knee injury?<br/>11 A. Yeah, at the time that's all I thought.<br/>12 Q. Okay. How did you guys pick Centennial<br/>13 Hills?<br/>14 A. It was the closest one.<br/>15 Q. Any other phone calls to anybody prior to<br/>16 arriving at the ER?<br/>17 A. Not that I can remember.<br/>18 Q. Is it just the two of you that arrived there?<br/>19 A. Her stepdad followed us.<br/>20 Q. Was he right behind you or he showed up a<br/>21 little while later?<br/>22 A. I can't remember.<br/>23 Q. Okay.<br/>24 A. I just remember -- like I do remember him<br/>25 being there as soon as -- as soon as I parked, I do</p>                                                                                                                                                                                                                               |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
33-36

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 33</p> <p>1 remember him being there, so . . .</p> <p>2 Q. And just him or did he have the other kids</p> <p>3 with him, too?</p> <p>4 A. I think it was just him because I think the</p> <p>5 babysitter came. I think the babysitter maybe was --</p> <p>6 was she there?</p> <p>7 Q. You'd probably remember little kids running</p> <p>8 around an ER, though. They weren't there?</p> <p>9 A. Yeah, they weren't -- I know the kids weren't</p> <p>10 there. I know the little kids weren't there.</p> <p>11 Q. Okay. So when you first walked in the</p> <p>12 hospital, all three of you were present?</p> <p>13 A. It was -- I want to say -- no, actually, no,</p> <p>14 it was just me and Shalynne, and then the dad came</p> <p>15 about maybe five minutes later.</p> <p>16 Q. So once you walk into the ER, I'm assuming</p> <p>17 you go over to the intake area?</p> <p>18 A. Um-hum.</p> <p>19 Q. That's a yes, right?</p> <p>20 A. Oh, yes.</p> <p>21 Q. Okay. Describe for me then what happens once</p> <p>22 you get to the intake area.</p> <p>23 A. She goes up there. She tells them, you know,</p> <p>24 her knee hurts. And she's calmed down a little bit</p> <p>25 then, so she's like my knee and like my lower leg is</p>                        | <p style="text-align: right;">Page 35</p> <p>1 see if he can -- if he can do something to where she</p> <p>2 can be on his insurance or if it's possible that she</p> <p>3 can be on his insurance, and he's on the phone with</p> <p>4 his insurance people. I guess they pretty much said</p> <p>5 that no, and then we sit and wait.</p> <p>6 Q. At what point had the stepdad arrived? Is</p> <p>7 that while she's filling out the paperwork?</p> <p>8 A. She's filling out the paperwork. By the time</p> <p>9 we got the paperwork he came already. He was already</p> <p>10 there sitting down with us.</p> <p>11 Q. Okay. When they said -- when she told them</p> <p>12 that she didn't have insurance, did they say that we</p> <p>13 can't treat you at all or just that it might be really</p> <p>14 expensive or do you remember any of the specifics</p> <p>15 about how that conversation went?</p> <p>16 A. Well, they said we might not be able to help</p> <p>17 out that much and it's going to be -- that she did --</p> <p>18 that they said it's going to be -- that it could</p> <p>19 possibly be really expensive if you don't have</p> <p>20 insurance.</p> <p>21 Q. So they never specifically said we won't</p> <p>22 treat you. They just said without your insurance,</p> <p>23 this might cost a lot of money?</p> <p>24 MR. GISH: Asked and answered,</p> <p>25 mischaracterizes his testimony.</p> |
| <p style="text-align: right;">Page 34</p> <p>1 starting like -- is starting to hurt. And then they</p> <p>2 asked to have her fill out paperwork and they ask if</p> <p>3 she has insurance.</p> <p>4 Q. As far as what she initially complained, she</p> <p>5 told them her knee hurts. What -- do you remember</p> <p>6 anything specific or you just remember just generally</p> <p>7 this is what she said?</p> <p>8 A. Like I just remember her saying that her knee</p> <p>9 hurts and that her leg is starting to hurt because she</p> <p>10 -- like I said, she calmed down some, so it was like</p> <p>11 she started feeling --</p> <p>12 Q. Okay. She starts to fill out the paperwork.</p> <p>13 They ask if she has insurance. Then what happens</p> <p>14 next?</p> <p>15 A. She says no, she says she doesn't have</p> <p>16 insurance, and they say, you know, well, we don't know</p> <p>17 how much -- how much we -- what we can -- how much we</p> <p>18 can do because you don't have insurance.</p> <p>19 Q. They said we don't know how much we can do</p> <p>20 because you don't have insurance?</p> <p>21 A. Yes.</p> <p>22 Q. And this is the same intake person?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. What happens next?</p> <p>25 A. She -- her stepdad is there, so he tried to</p> | <p style="text-align: right;">Page 36</p> <p>1 Go ahead, you can answer.</p> <p>2 BY MR. TYLER:</p> <p>3 Q. You can answer.</p> <p>4 A. Oh. Say it again.</p> <p>5 Q. Sure. It wasn't something where they</p> <p>6 specifically said, well, if you don't have insurance,</p> <p>7 tough luck, we're not going to treat you. It was more</p> <p>8 of something along the lines of we might be able to</p> <p>9 treat you, but it might cost you a lot of money?</p> <p>10 MR. GISH: Same objections.</p> <p>11 Go ahead and answer.</p> <p>12 THE DEPONENT: Well, I remember them saying</p> <p>13 it was going to be expensive and I remember them</p> <p>14 saying that we don't know how much we can possibly</p> <p>15 help you.</p> <p>16 BY MR. TYLER:</p> <p>17 Q. What I'm trying to understand, was there a</p> <p>18 point where they ever said we can't treat you without</p> <p>19 insurance, period, or was it more of --</p> <p>20 A. No, they didn't say -- no, they didn't say we</p> <p>21 can't treat you, period.</p> <p>22 Q. Okay. But they did say if we treat you</p> <p>23 without insurance, it might be expensive?</p> <p>24 A. They did say that later on, I think.</p> <p>25 Q. So at that point I'm assuming you're going to</p>                                                                                                                                                                        |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
37-40

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 37</p> <p>1 try to -- or the stepdad and Shalynne want to try to</p> <p>2 see if they can get her on insurance so they don't</p> <p>3 have to lay out a bunch of money to get treatment?</p> <p>4 A. Well, so she can get the right treatment,</p> <p>5 yeah.</p> <p>6 Q. Okay. So they tell you to wait or you guys</p> <p>7 asked to wait while you try to get insurance; do you</p> <p>8 know which way it went forward?</p> <p>9 A. We had to wait. We just -- we sat and waited</p> <p>10 because by the time they called us back there, it was</p> <p>11 like we'd already been sitting there for like over an</p> <p>12 hour.</p> <p>13 Q. And so at the point where they tell you to go</p> <p>14 sit, did they say, you know, we've got some priorities</p> <p>15 in front of you or people that are waiting in front of</p> <p>16 you, we'll call you when we're ready or how did that</p> <p>17 work?</p> <p>18 A. I didn't go up -- I didn't go up there with</p> <p>19 Shalynne. Shalynne went up there, and I think</p> <p>20 Shalynne and her stepdad went up there, and then they</p> <p>21 came back. I didn't hear exactly what they were</p> <p>22 saying about the wait. They just said, well, they</p> <p>23 just told us that we're going to have to wait.</p> <p>24 Q. Was it your impression that they were waiting</p> <p>25 to be called to be treated, though?</p> | <p style="text-align: right;">Page 39</p> <p>1 A. She pointed to like -- not like the ball,</p> <p>2 like how do I -- probably like -- do you want me to go</p> <p>3 like this? Like about, like around this area.</p> <p>4 Q. And --</p> <p>5 A. And like through here.</p> <p>6 Q. And for the record, you're pointing to</p> <p>7 approximately one inch directly below the kneecap?</p> <p>8 A. Yeah, like around -- like it was just like --</p> <p>9 it was like right through here was hurting, she told</p> <p>10 me.</p> <p>11 Q. Okay. And so just so we're clear on what</p> <p>12 you're doing, you're at about the kneecap and to one</p> <p>13 inch below that, and then you're kind of going around</p> <p>14 to the sides of the knee, but it's on kind of the</p> <p>15 front portion of the knee?</p> <p>16 A. Yeah.</p> <p>17 Q. Okay.</p> <p>18 MR. GISH: Counsel, I think he was also</p> <p>19 gesturing sort of towards the back as well.</p> <p>20 BY MR. TYLER:</p> <p>21 Q. Well, I want to make clear what you were</p> <p>22 doing. When I was watching you, you were going like</p> <p>23 this, correct?</p> <p>24 A. Well, I went like, yeah, like about right</p> <p>25 here.</p> |
| <p style="text-align: right;">Page 38</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And at that point it was the</p> <p>3 understanding of all of you that she was going to be</p> <p>4 treated, you were just waiting for that to occur?</p> <p>5 A. Um-hum.</p> <p>6 Q. Okay. Is that a yes?</p> <p>7 A. Yes, sorry.</p> <p>8 Q. And then you said you waited a period of time</p> <p>9 until somebody called her. During that period of time</p> <p>10 what happened?</p> <p>11 A. We sat there. She was complaining about her</p> <p>12 knee and her lower leg and, you know, that was -- and</p> <p>13 she was saying that she -- that she was probably going</p> <p>14 to need an MRI.</p> <p>15 Q. Do you recall any specific complaints</p> <p>16 regarding the knee and lower leg?</p> <p>17 A. They was just really hurting and they was</p> <p>18 starting to get swollen and they had like some redness</p> <p>19 on it, but just complaining about, you know, the pain</p> <p>20 and how swollen it was.</p> <p>21 Q. Did she provide specific indication of where</p> <p>22 her leg was hurting? Did she point or anything like</p> <p>23 that?</p> <p>24 A. Yeah.</p> <p>25 Q. Where did she point?</p>                                                                                                                                                                                                                      | <p style="text-align: right;">Page 40</p> <p>1 Q. Okay. And so where your hand's going right</p> <p>2 now is about --</p> <p>3 A. Is like right here.</p> <p>4 Q. -- it's about halfway?</p> <p>5 A. Yeah, somewhere around there, yeah.</p> <p>6 Q. Okay. So it would be the front half of the</p> <p>7 area directly below the knee?</p> <p>8 A. Yeah. I'm guessing, yeah.</p> <p>9 Q. And when I say front half, what I mean is the</p> <p>10 top portion, where your kneecap actually is, about</p> <p>11 halfway around the calf?</p> <p>12 A. Wait, I can't see. Do it again.</p> <p>13 Q. That's what you were doing, so it doesn't</p> <p>14 really matter what I'm doing.</p> <p>15 A. Yeah.</p> <p>16 Q. Okay.</p> <p>17 A. I was just making sure you were doing it</p> <p>18 right.</p> <p>19 Q. Okay. So it was -- and just so we're a</p> <p>20 hundred percent clear, it was the front half of the</p> <p>21 leg, from the kneecap to about one inch below?</p> <p>22 A. Yeah.</p> <p>23 Q. Okay. Okay, and you said she had</p> <p>24 mentioned -- was it Shalynne that mentioned an MRI?</p> <p>25 A. Yes.</p>                                                                                  |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
41-44

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 41</p> <p>1 Q. And do you have any idea why she thought an<br/>2 MRI was indicated?</p> <p>3 A. Because it was going -- it probably was going<br/>4 to show that there was something that was going to be<br/>5 wrong -- that there's something wrong with her that's<br/>6 going to like -- like probably like musclewise or<br/>7 something like that, compared to an x-ray that's not<br/>8 going to -- that wasn't going to show anything.</p> <p>9 Q. Would I be correct in assuming you don't know<br/>10 a lot about the difference between an x-ray, CT and<br/>11 MRI?</p> <p>12 A. I don't, no.</p> <p>13 Q. Okay. Was it your impression just this was<br/>14 because of her CNA training she thought this made<br/>15 sense or --</p> <p>16 A. Yes.</p> <p>17 Q. Okay. As far as what study was appropriate<br/>18 to examine her knee, you didn't have an opinion one<br/>19 way or the other?</p> <p>20 A. No.</p> <p>21 Q. Okay. And as far as why she thought an MRI<br/>22 made sense, you didn't really know why, it's just what<br/>23 she stated, or you had an understanding?</p> <p>24 A. Yeah, I didn't -- I mean, she tried to<br/>25 explain it, but . . .</p> | <p style="text-align: right;">Page 43</p> <p>1 A. No, it wasn't the toes. It was just like --<br/>2 it was just like -- it was just like, like this area<br/>3 was like all swollen.</p> <p>4 Q. Okay. And you were gesturing kind of<br/>5 generally to the knee area?</p> <p>6 A. The knee and lower leg, yeah.</p> <p>7 Q. Okay.</p> <p>8 A. Not like lower lower, but like right like<br/>9 around the calf area still was like still swollen.</p> <p>10 Q. Okay. So would it be fair to say kind of<br/>11 upper calf through the knee area?</p> <p>12 A. Yeah.</p> <p>13 Q. Okay. I'm assuming since you could see this,<br/>14 she had shorts on or --</p> <p>15 A. Yeah.</p> <p>16 Q. Okay. Did it appear discolored or anything<br/>17 like that?</p> <p>18 A. Yeah, I mean, it was red.</p> <p>19 Q. Same area?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Anything else you recall observing regarding<br/>22 her leg and lower extremity?</p> <p>23 A. Just that it was swollen.</p> <p>24 Q. Any other interaction with any employees of<br/>25 the facility prior to being called back?</p> |
| <p style="text-align: right;">Page 42</p> <p>1 Q. You had mentioned swelling. Was the swelling<br/>2 in that same knee area you described?</p> <p>3 A. Yes.</p> <p>4 Q. Okay.</p> <p>5 A. It was all over.</p> <p>6 Q. When I say the same area, I'm talking about<br/>7 that one inch for the front half of the calf.</p> <p>8 A. I mean, like all of it was pretty much<br/>9 swollen.</p> <p>10 Q. When you say all of it, I need to understand<br/>11 what that means.</p> <p>12 A. Okay, like, like, I mean, because like her<br/>13 knee was swollen, like everything like from like, like<br/>14 it was like all was swelling, so . . .</p> <p>15 Q. Okay. But it was the knee area?</p> <p>16 A. The knee, lower leg, all that, it was just<br/>17 swollen. It was just swollen, like it was because she<br/>18 hit it, so it all like got big. Compared to the other<br/>19 one --</p> <p>20 Q. Okay.</p> <p>21 A. -- it was big, so just everything was<br/>22 swollen.</p> <p>23 Q. And just so we're clear, if you recall, was<br/>24 the swelling from the toes all the way up to the thigh<br/>25 or --</p>                                                                                                  | <p style="text-align: right;">Page 44</p> <p>1 A. No.</p> <p>2 Q. Okay. Do you recall any other discussions on<br/>3 the phone during that time frame?</p> <p>4 A. That she called her mom, that was it.</p> <p>5 Q. Do you recall that conversation at all?</p> <p>6 A. No.</p> <p>7 Q. Did the three of you stay together that whole<br/>8 time?</p> <p>9 A. Yes.</p> <p>10 Q. When somebody comes out and calls her name,<br/>11 was that somebody from the facility?</p> <p>12 A. Yeah.</p> <p>13 Q. Okay. And they're going to take her back<br/>14 into the actual treatment area of the ER?</p> <p>15 A. Yeah, they took her back to the x-ray room.</p> <p>16 Q. Okay. Did you accompany her?</p> <p>17 A. Yes.</p> <p>18 Q. Did the stepdad?</p> <p>19 A. No.</p> <p>20 Q. Okay. The person who initially grabs you out<br/>21 of the waiting area to bring you back, do you know if<br/>22 that was a nurse or some administrative person?</p> <p>23 A. I guessed it was a nurse.</p> <p>24 Q. Okay. Do you recall what she looked like at<br/>25 all? I'm assuming it's a woman.</p>  |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
45-48

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 45</p> <p>1 A. Yeah, it was a woman. I think she was white.</p> <p>2 Q. Anything else as far as age, hair color or</p> <p>3 anything like that?</p> <p>4 A. I want to say she was older, but I don't</p> <p>5 remember the hair color.</p> <p>6 Q. I'm assuming you don't remember the name</p> <p>7 then?</p> <p>8 A. No.</p> <p>9 Q. Okay. Does she have any discussion with</p> <p>10 Shalynne about what's going on with her or you just</p> <p>11 walk straight to the x-ray room?</p> <p>12 A. She asked, you know, what the problem -- like</p> <p>13 she just told her, you know, that we're going to give</p> <p>14 you an x-ray and we want to see -- like I guess she</p> <p>15 said it was -- she said she heard it was like</p> <p>16 something with her knee and she was going to give her</p> <p>17 a x-ray.</p> <p>18 Q. So I'm assuming this conversation is not</p> <p>19 happening in the waiting room, you --</p> <p>20 A. No, it was going toward the -- we're going</p> <p>21 toward the x-ray room.</p> <p>22 Q. Okay. Do you go to a little triage area to</p> <p>23 talk about this first or is this all just during the</p> <p>24 walk to the x-ray?</p> <p>25 A. All during the walk.</p> | <p style="text-align: right;">Page 47</p> <p>1 MR. GISH: Is that a yes?</p> <p>2 THE DEPONENT: Oh, yes.</p> <p>3 BY MR. TYLER:</p> <p>4 Q. And then you and the nurse step out of the</p> <p>5 room?</p> <p>6 A. Yes.</p> <p>7 Q. Pretty quick process, I'm assuming?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And then what happens after that</p> <p>10 x-ray?</p> <p>11 A. They put us in -- what's it called -- in the</p> <p>12 little wait -- the little rooms.</p> <p>13 Q. Like where the beds are with the curtains</p> <p>14 that go around?</p> <p>15 A. Yeah, just like with a -- like with a -- it</p> <p>16 just had like a little bed and then there was a</p> <p>17 curtain and there was like two chairs to sit down.</p> <p>18 Q. Okay. So you're in the actual ER treatment</p> <p>19 area. While they're waiting for the x-ray results,</p> <p>20 they put you in one of those little treatment areas</p> <p>21 where there's a bed that Shalynne can lay on and</p> <p>22 there's two chairs and a curtain that goes around?</p> <p>23 A. Yeah.</p> <p>24 Q. Okay. No point during this discussion did</p> <p>25 anybody say, well, we're not going to do an x-ray,</p>                                                                                               |
| <p style="text-align: right;">Page 46</p> <p>1 Q. And what do you recall Shalynne telling her</p> <p>2 about what's going on during that walk?</p> <p>3 A. That she said that you're probably not going</p> <p>4 to find anything with the x-ray, it's not going to</p> <p>5 help, and that's all I can remember.</p> <p>6 Q. And Shalynne is able to walk on her own?</p> <p>7 A. No, she's still in the wheelchair.</p> <p>8 Q. Okay. Had she been in a wheelchair that</p> <p>9 whole time in the waiting area?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Was that wheelchair provided to her at</p> <p>12 the time you began filling out the paperwork?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Were you able to get that wheelchair</p> <p>15 basically as soon as you got there and explained there</p> <p>16 was a knee problem?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And do you have any recollection of</p> <p>19 what Shalynne told this person we're assuming to be a</p> <p>20 nurse during the walk to the x-ray room?</p> <p>21 A. Just that she thinks the x-ray won't help.</p> <p>22 Q. And then when you get to the x-ray room, they</p> <p>23 put Shalynne on the table?</p> <p>24 A. Um-hum.</p> <p>25 Q. And then I'm assuming --</p>      | <p style="text-align: right;">Page 48</p> <p>1 we're not going to look at your knee because you don't</p> <p>2 have insurance?</p> <p>3 A. Say that one more time.</p> <p>4 Q. At no point during this treatment does this</p> <p>5 nurse ever say that we're not going to treat you</p> <p>6 because you don't have insurance?</p> <p>7 A. I can't remember. Like the nurse that called</p> <p>8 us back, right, you're talking about that nurse?</p> <p>9 Q. Yeah.</p> <p>10 A. I can't remember.</p> <p>11 Q. I mean, obviously she's given her an x-ray</p> <p>12 and put her in that treatment area. Was there ever</p> <p>13 any discussion that I shouldn't be doing this because</p> <p>14 you don't have insurance? Was there every anything</p> <p>15 where she said --</p> <p>16 A. She didn't say I shouldn't do this because</p> <p>17 you don't have insurance. I just don't remember the</p> <p>18 whole conversation.</p> <p>19 Q. Fair to say it was your impression that she</p> <p>20 was providing treatment to Shalynne during this time</p> <p>21 frame?</p> <p>22 A. Yeah, she was doing what she was told to do.</p> <p>23 Q. While you're in that waiting area, eventually</p> <p>24 she's seen by a PA; do you recall that? It's a woman</p> <p>25 PA?</p> |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
49-52

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 49</p> <p>1 A. Yeah.</p> <p>2 Q. Okay. Is the next interaction after the</p> <p>3 x-ray and being put in that waiting area within the ER</p> <p>4 treatment section with the nurse or with the PA?</p> <p>5 A. While we was waiting? It was just us in the</p> <p>6 room and then the PA came in, I believe.</p> <p>7 Q. Okay. So after you walked back for x-ray and</p> <p>8 you're waiting in the treatment area, the next person</p> <p>9 you talk to is the PA?</p> <p>10 A. Yeah, because she just said just wait here,</p> <p>11 we'll get the doctor or something like that over here.</p> <p>12 Q. Okay. So the nurse that had told you to wait</p> <p>13 there said I'm going to go get the doctor? Is that a</p> <p>14 yes?</p> <p>15 A. Yes, sorry.</p> <p>16 Q. How long do you remember that taking?</p> <p>17 A. For the doctor to come? Maybe 30 minutes.</p> <p>18 Q. At that point, any change in condition or</p> <p>19 does her leg pretty much look the same as it had when</p> <p>20 you went back?</p> <p>21 A. It looks the same. It still hurts. The</p> <p>22 leg -- the leg, the lower leg and the knee still hurts</p> <p>23 and it's still red and swollen.</p> <p>24 Q. When the PA arrives -- and I understand you</p> <p>25 probably weren't sure if it was a PA or a doctor, is</p> | <p style="text-align: right;">Page 51</p> <p>1 her, yeah, go see a specialist, get insurance and go</p> <p>2 see a specialist.</p> <p>3 Q. Okay. PA arrives, tells her the x-ray is</p> <p>4 negative. I'm assuming she looks at the leg?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. What do you recall of the examination?</p> <p>7 A. She like -- I remember she was -- she touched</p> <p>8 her leg, she asked like, and then of course Shalynne</p> <p>9 winced in pain, and I remember she touching it and</p> <p>10 saying, oh, yeah, it's swollen, and that was about it.</p> <p>11 Q. Do you have any recollection of what area of</p> <p>12 the leg caused her to wince in pain?</p> <p>13 A. Like when she touched like around here, it</p> <p>14 was like she touched her first and she winced and she</p> <p>15 touched here and winced. She touched the knee, of</p> <p>16 course, and she winced. Like she touched like pretty</p> <p>17 much everything that was like all through here, it was</p> <p>18 all -- she was like, and she was wincing through the</p> <p>19 pain.</p> <p>20 Q. Okay.</p> <p>21 A. Like through all that.</p> <p>22 Q. So again, you were kind of doing the kneecap</p> <p>23 itself and in that area approximately one inch below</p> <p>24 the kneecap and then the front half of the leg?</p> <p>25 A. Yeah.</p> |
| <p style="text-align: right;">Page 50</p> <p>1 that --</p> <p>2 A. Yeah, I wasn't sure.</p> <p>3 Q. Okay. So when the new medical provider</p> <p>4 arrives that you assumed was a doctor --</p> <p>5 A. Um-hum.</p> <p>6 Q. Is that a yes?</p> <p>7 A. Yes.</p> <p>8 Q. Okay.</p> <p>9 A. Sorry.</p> <p>10 Q. Describe for me that interaction, please.</p> <p>11 A. She just said -- she pretty much said, you</p> <p>12 know, yeah, the x-rays shows that nothing's wrong.</p> <p>13 And that's when Shalynne was like -- Shalynne told</p> <p>14 them, you know, I need something -- I need something</p> <p>15 more than an x-ray.</p> <p>16 And then she -- and I remember she saying,</p> <p>17 the doctor or PA, I remember her saying, well, we</p> <p>18 can't really -- we can't do nothing really with it</p> <p>19 because you don't have insurance. You have to get --</p> <p>20 you have to get insurance and go see a specialist to</p> <p>21 get your knee looked at, to get your knee and stuff</p> <p>22 looked at.</p> <p>23 And also Shalynne told them -- Shalynne also</p> <p>24 told them, you know, yeah, it hurts like on my knee</p> <p>25 and leg area and it's red, and that's when she told</p>                                                                                                                           | <p style="text-align: right;">Page 52</p> <p>1 Q. Okay. And was there a discussion about</p> <p>2 whether or not it was primarily a knee issue or</p> <p>3 whether -- or about the history with the knee</p> <p>4 problems?</p> <p>5 A. Didn't ask about -- didn't really get asked</p> <p>6 about it.</p> <p>7 Q. Okay. What do you recall of the discussion</p> <p>8 the PA had with Shalynne?</p> <p>9 A. Just, you know, that her knee -- that, you</p> <p>10 know, that there was the whole insurance thing and</p> <p>11 then that she was swollen and that-- that's all I can</p> <p>12 really remember about it.</p> <p>13 Q. So does she examine the leg first or talk</p> <p>14 about the x-ray first?</p> <p>15 A. She talked about the x-ray and then she</p> <p>16 examined the leg and then that's when she went on to</p> <p>17 say that, you know, that you might need surgery on it,</p> <p>18 but you need to go get insurance and see a specialist</p> <p>19 first.</p> <p>20 Q. So the insurance discussion was with regard</p> <p>21 to potential follow-up surgery regarding the knee</p> <p>22 concerns?</p> <p>23 A. You mean like -- can you say that again?</p> <p>24 Q. Sure. So when insurance first comes up, it's</p> <p>25 the PA saying we looked at the x-ray, it was negative,</p>                                  |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
53-56

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 53</p> <p>1 I've examined your leg, it looks like you might need<br/>2 surgery, but in order to have surgery completed, you<br/>3 need to go see a specialist and you need to get<br/>4 insurance; was that how it unfolded? I'm just trying<br/>5 to understand.<br/>6 A. Yeah.<br/>7 Q. Okay.<br/>8 A. I think she -- like the specialist is<br/>9 supposed to do surgery or something like that, not<br/>10 them.<br/>11 Q. Okay. So the issue with the insurance and<br/>12 need to see a specialist was with regard to potential<br/>13 surgery?<br/>14 A. Well, the way I understood it was that it<br/>15 seemed like the specialist was going to do the surgery<br/>16 or something like that.<br/>17 Q. Any other recollection of that interaction<br/>18 with the PA?<br/>19 A. No, just pretty much what I told you. She<br/>20 just told us to sit here and wait.<br/>21 Q. So other than, you know, we can't do a<br/>22 surgery here in the ER, you're going to need to follow<br/>23 up with a specialist on that, was there any other care<br/>24 that they said that they wouldn't or couldn't provide?<br/>25 A. They just said they couldn't -- they couldn't</p>                                                                                                                                                    | <p style="text-align: right;">Page 55</p> <p>1 I just felt like it should have been like, like more<br/>2 and like she should like -- I felt like she should<br/>3 have did more, I don't know what, but I felt like she<br/>4 should have did more other than just say, oh, well,<br/>5 she looked at it, oh, yeah, you might need surgery,<br/>6 you need insurance, go to a specialist, and that was<br/>7 it.<br/>8 Q. Okay. And to make sure we're clear --<br/>9 A. And --<br/>10 Q. -- you know for sure she looked at the x-ray?<br/>11 A. Um-hum.<br/>12 Q. And she explained the x-ray?<br/>13 A. Um-hum.<br/>14 Q. Those are yes?<br/>15 A. Yes, yes, sorry, yes, yes.<br/>16 Q. And she actually physically examined her<br/>17 knee?<br/>18 A. Yes.<br/>19 Q. And she asked Shalynne about her knee?<br/>20 A. Yes, like where it was -- like if it was<br/>21 hurting, yes.<br/>22 Q. Okay. What else did you feel should have<br/>23 been done during the exam that wasn't?<br/>24 A. I just feel like -- like I say, I don't know<br/>25 the whole procedure, but like I say, she asked for an</p>                       |
| <p style="text-align: right;">Page 54</p> <p>1 do no more, nothing else about it, and then they just<br/>2 gave her a brace and some crutches and said -- and<br/>3 then just let us go.<br/>4 Q. And what I'm trying to make sure I'm clear on<br/>5 is, there was nothing else that, you know, Shalynne<br/>6 said I need this or I want this or, you know, you<br/>7 haven't asked me about this and they said we can't<br/>8 treat you, we won't treat you, other than the surgery?<br/>9 A. Just the MRI. She just said she wanted an<br/>10 MRI and they said that she couldn't -- that they<br/>11 couldn't give it to her.<br/>12 Q. So anything besides the MRI and the fact that<br/>13 they couldn't do surgery?<br/>14 A. That's all I can remember, was that it was --<br/>15 that they wouldn't give her an MRI.<br/>16 Q. Did you get the impression that the PA<br/>17 actually took her time and examined the knee?<br/>18 A. I don't feel like she did because it was --<br/>19 because she wasn't there that long. You know, like<br/>20 she was just like, she was there, she just talked and<br/>21 then just -- and then she left and we didn't see her<br/>22 again and then . . .<br/>23 Q. What about it made you feel that she didn't,<br/>24 just the duration of the time with you?<br/>25 A. The duration, it's like it wasn't -- I guess</p> | <p style="text-align: right;">Page 56</p> <p>1 MRI, like I feel like she should have got the MRI, you<br/>2 know, and I'm not -- like I say, I'm not<br/>3 professionally whatever, but like they should have<br/>4 like -- if they saw like the knee was red, it's like I<br/>5 don't know, just like, like do more tests on it. They<br/>6 should have did more tests, I feel like, other than<br/>7 just an x-ray.<br/>8 Q. Do you feel the PA was answering Shalynne's<br/>9 questions?<br/>10 A. Yeah, she answered them.<br/>11 Q. Anybody else present during those<br/>12 interactions with the PA other than you and Shalynne<br/>13 and the PA herself?<br/>14 A. I want to say her brother was in there, in<br/>15 the room.<br/>16 Q. Shalynne's brother?<br/>17 A. I want to say yes.<br/>18 Q. Who is that?<br/>19 A. Josiah.<br/>20 Q. What point did Josiah arrive?<br/>21 A. About maybe like five, ten minutes after we<br/>22 was in the room; maybe ten minutes after the room.<br/>23 Q. So while you're in the ER treatment area,<br/>24 after the x-ray but waiting for the PA, he arrived?<br/>25 A. Um-hum.</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEM

July 09, 2018

57-60

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 57</p> <p>1 Q. Okay. How old is Josiah?</p> <p>2 A. How old is he?</p> <p>3 Q. Yeah.</p> <p>4 A. At that time?</p> <p>5 Q. Yeah. I mean, is this a kid or an adult?</p> <p>6 A. He's an adult, yeah.</p> <p>7 Q. Anybody else present?</p> <p>8 A. I want to say -- I can't remember if the</p> <p>9 stepdad was in there or not, but I do remember Josiah</p> <p>10 being in there and me.</p> <p>11 Q. Do you recall discussions that the PA had</p> <p>12 with you about, you know, if the pain continues, if it</p> <p>13 worsens, if you see additional swelling, things like</p> <p>14 that, you need to follow up and get additional medical</p> <p>15 treatment?</p> <p>16 A. No.</p> <p>17 Q. You had started to mention the brace and</p> <p>18 things like that. I'm assuming there was some</p> <p>19 conversation like that with the PA?</p> <p>20 A. No, not with the PA. Another doctor -- like</p> <p>21 a nurse came in with it.</p> <p>22 Q. Okay. So is that the extent of the</p> <p>23 conversation with the PA that you can recall?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Do you recall any discussion about</p> | <p style="text-align: right;">Page 59</p> <p>1 A. He just had the brace. He said we was going</p> <p>2 to give you this brace and these crutches. And he</p> <p>3 just showed Shalynne how to put it on and he adjusted</p> <p>4 the crutches and then sent us on our way.</p> <p>5 Q. Showed her how to use the brace and then</p> <p>6 adjusted the crutches?</p> <p>7 A. Yeah, like showed us how -- like how to put</p> <p>8 it on.</p> <p>9 Q. Anything else you recall during that</p> <p>10 interaction?</p> <p>11 A. She just was like -- you know, she was like,</p> <p>12 oh, is that it, like no -- there's not going to be any</p> <p>13 tests or nothing? And he said no, we're just going to</p> <p>14 give you the brace and the crutches.</p> <p>15 Q. At that point you guys leave?</p> <p>16 A. Yeah, like after she gets all that, yeah,</p> <p>17 just walked us out and she signs out and whatever she</p> <p>18 has to do and then we put her in the car.</p> <p>19 Q. So other than the interaction with the nurse</p> <p>20 that walks you back to x-ray, the interaction with the</p> <p>21 PA, and then this third gentleman that comes in, shows</p> <p>22 you how to use the brace and adjusts the crutches, any</p> <p>23 other interactions with medical providers?</p> <p>24 A. No.</p> <p>25 Q. Shalynne's knee still look the same at this</p> |
| <p style="text-align: right;">Page 58</p> <p>1 whether you wanted to see an ER physician as well as</p> <p>2 the PA?</p> <p>3 A. Say that one more time.</p> <p>4 Q. Sure. Do you recall if there was any</p> <p>5 discussion about also having a physician come in as</p> <p>6 well as the PA to examine the patient?</p> <p>7 A. In the hospital? No.</p> <p>8 Q. Anything else during that interaction with</p> <p>9 the PA we haven't talked about?</p> <p>10 A. No.</p> <p>11 Q. Okay. PA leaves, and then the three of you,</p> <p>12 meaning you, Shalynne and Josiah, are waiting awhile</p> <p>13 and then a nurse comes back?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. How long are you waiting there?</p> <p>16 A. Maybe like another 15, 20 minutes.</p> <p>17 Q. And was this the same nurse that walked you</p> <p>18 to x-ray?</p> <p>19 A. No.</p> <p>20 Q. Okay. What do you remember of this nurse?</p> <p>21 A. It was a guy, and he was kind of heavysset,</p> <p>22 and he was white.</p> <p>23 Q. Do you remember age or anything like that?</p> <p>24 A. No.</p> <p>25 Q. Okay. And what did that interaction entail?</p>                             | <p style="text-align: right;">Page 60</p> <p>1 point?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. When she leaves, she actually has the</p> <p>4 brace on, she's using the crutches?</p> <p>5 A. Um-hum, yes.</p> <p>6 Q. I'm going to show you what's Bates stamped</p> <p>7 CHH 11. This is part of the medical records and these</p> <p>8 would be --</p> <p>9 MR. GISH: Which one was it, 11?</p> <p>10 MR. TYLER: 11.</p> <p>11 BY MR. TYLER:</p> <p>12 Q. So these are discharge instructions provided</p> <p>13 to Shalynne, and you see it discusses the knee area,</p> <p>14 and I'm showing you toward the bottom of that page it</p> <p>15 says get prompt medical attention if one of the</p> <p>16 following occurs, pain or swelling increases over the</p> <p>17 knee or calf or shortness of breath or chest pain; do</p> <p>18 you see where I'm at?</p> <p>19 A. Yeah.</p> <p>20 Q. Do you recall Shalynne being provided this</p> <p>21 document?</p> <p>22 A. I don't. I don't recall it.</p> <p>23 Q. Okay. Do you recall ever seeing this</p> <p>24 document before today?</p> <p>25 A. No.</p>                                                                                                                                                                                                                                                                    |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
61-64

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 61</p> <p>1 Q. Do you recall if she was provided some</p> <p>2 documents when she was discharged from the ER?</p> <p>3 A. Not that I can recall.</p> <p>4 Q. Okay. Is it your position that she never</p> <p>5 received a packet of information or just you don't</p> <p>6 remember?</p> <p>7 A. I don't remember.</p> <p>8 Q. And then I'm showing you Bates stamp CHH 14,</p> <p>9 and on this page it indicates patient education</p> <p>10 materials provided, knee pain, meniscus injury</p> <p>11 possible. And then on the comments section it says</p> <p>12 return for new or worsening; do you recall any</p> <p>13 discussions to that effect with the medical staff?</p> <p>14 A. No.</p> <p>15 Q. Okay. No, you don't recall, or no, you don't</p> <p>16 think it happened?</p> <p>17 A. No, I don't recall them telling us to do</p> <p>18 that.</p> <p>19 Q. Okay. Is it possible that it occurred and</p> <p>20 you don't remember or you don't think it happened,</p> <p>21 period?</p> <p>22 A. I don't think it happened, period.</p> <p>23 Q. I'm showing you Bates stamp CHH 19. It says</p> <p>24 reason for exam, injury, knee and below, and then it</p> <p>25 says radiology, injury, knee and below.</p> | <p style="text-align: right;">Page 63</p> <p>1 that's all I can remember.</p> <p>2 Q. Fair to say basically what you would expect a</p> <p>3 nurse to ask you when you're going into the ER?</p> <p>4 A. Yeah, like basic questions.</p> <p>5 Q. Do you recall any discussions about her</p> <p>6 ethnicity?</p> <p>7 A. No.</p> <p>8 Q. And again, is that something that you</p> <p>9 specifically think didn't happen or you just can't</p> <p>10 recall one way or the other?</p> <p>11 A. It didn't happen.</p> <p>12 Q. After you leave the ER, your affidavit</p> <p>13 indicates over the next three weeks she continued to</p> <p>14 complain of pain in the knee and lower leg. She also</p> <p>15 began to appear frequently short of breath.</p> <p>16 Why don't you walk me through the progression</p> <p>17 of that pain and the shortness of breath.</p> <p>18 A. Well, she was complaining every day about her</p> <p>19 leg hurting and her knee and how it always hurts and</p> <p>20 saying -- she was giving me pictures, texts. She was,</p> <p>21 you know, texting me pictures of it and saying how</p> <p>22 much it hurts. And I didn't notice the shortness of</p> <p>23 breath until that last -- the last week we was</p> <p>24 together.</p> <p>25 Q. As far as the knee pain, is that something</p>                                                                                                  |
| <p style="text-align: right;">Page 62</p> <p>1 My understanding of what you said about the</p> <p>2 exam, the PA actually looked at the area both of the</p> <p>3 knee itself as well as below that; would you agree</p> <p>4 with that?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. You indicate in your affidavit that</p> <p>7 Shalynne had informed the staff that she was on the</p> <p>8 NuvaRing?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember that conversation?</p> <p>11 A. Yes.</p> <p>12 Q. Who did she inform of that?</p> <p>13 A. The person that was -- the person that was</p> <p>14 getting the information. I think it was the nurse</p> <p>15 that was taking us to the x-ray, she asked her if she</p> <p>16 was on any birth control.</p> <p>17 Q. What else do you recall her asking her?</p> <p>18 A. Like do you smoke, do you drink.</p> <p>19 Q. Kind of a laundry list of questions that you</p> <p>20 would expect to be asked at the ER or --</p> <p>21 A. Yeah, like, you know, the basic questions.</p> <p>22 Q. Do you have any recollection of any other</p> <p>23 specific questions other than birth control, smoking,</p> <p>24 drinking?</p> <p>25 A. Well, allergies, you know, that's about --</p>                                    | <p style="text-align: right;">Page 64</p> <p>1 that was a constant knee pain that didn't ebb or flow</p> <p>2 or is that something that got worse with time or how</p> <p>3 would you describe it?</p> <p>4 A. Well, it was -- it pretty much -- it like, it</p> <p>5 got -- it was -- it like, it hurt, and then it was</p> <p>6 like some days it hurt, some days it didn't, and other</p> <p>7 days it hurt even more, and then toward the end it</p> <p>8 started hurting more and more.</p> <p>9 Q. When you say towards the end, is that like</p> <p>10 that week before she flew back to Missouri?</p> <p>11 A. Yeah.</p> <p>12 Q. And when you say it hurt more, like hurt more</p> <p>13 than it did even when she first hurt it at the pool?</p> <p>14 A. It was about the -- I don't know if it hurt</p> <p>15 more. I just know that she just said like it's</p> <p>16 hurting more than -- because at first like it felt</p> <p>17 like it was getting better and then -- and then all of</p> <p>18 a sudden like it started hurting even more and it</p> <p>19 just, I don't know the level of the pain, but I do</p> <p>20 know it was hurting more.</p> <p>21 Q. Okay. Let me make sure I'm understanding</p> <p>22 everything accurately. It hurts off and on for a</p> <p>23 little bit but seems like it's getting better for a</p> <p>24 period of time?</p> <p>25 A. It seemed like it for a second, yeah.</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
65-68

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 65</p> <p>1 Q. And eventually it starts hurting worse and</p> <p>2 it's continuing to hurt?</p> <p>3 A. Um-hum.</p> <p>4 Q. Okay. And that's more during that time frame</p> <p>5 when you start to notice the shortness of breath?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay. So at this point where you've got</p> <p>8 returned worsened pain and shortness of breath, were</p> <p>9 there ever any discussions about additional medical</p> <p>10 care?</p> <p>11 A. She just said she was going to -- like she</p> <p>12 just got a job. She was working on trying to get the</p> <p>13 insurance so she can get it done.</p> <p>14 Q. Was there any discussion about returning to</p> <p>15 the ER?</p> <p>16 A. She just -- well, she wanted -- she still</p> <p>17 had -- she was trying to get the insurance so she can</p> <p>18 see the specialist, not go to the ER.</p> <p>19 Q. I showed you that discharge instruction that</p> <p>20 said with worsening pain or shortness of breath, to</p> <p>21 return to the ER; was that ever a discussion at any</p> <p>22 point?</p> <p>23 A. Um-um, no, sir.</p> <p>24 Q. Do you know if she ever attempted to schedule</p> <p>25 a follow-up with a specialist?</p>                                                                                                                                                                | <p style="text-align: right;">Page 67</p> <p>1 Q. So the swelling would fluctuate from what it</p> <p>2 was like when you left the ER to an increased amount</p> <p>3 and go back and forth?</p> <p>4 A. Yeah, until like towards -- like I said, then</p> <p>5 toward the end it just stood like, just stood big.</p> <p>6 Q. And that's during kind of that last week?</p> <p>7 A. Yeah, last week or so.</p> <p>8 Q. So that last week she had increased sustained</p> <p>9 swelling, increased redness, shortness of breath and</p> <p>10 increased pain?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Anything else you can recall regarding</p> <p>13 problems or observations with the knee and lower</p> <p>14 extremity during that time period?</p> <p>15 A. Just that it just got worse.</p> <p>16 Q. At this point in time where her leg continues</p> <p>17 to get worse, you've got the increased sustained</p> <p>18 swelling, the redness, the increased pain, did you</p> <p>19 express any concern or tell her that she needs to see</p> <p>20 a doctor?</p> <p>21 A. Well, yeah, I was just like, you know, do you</p> <p>22 need -- or I was -- I was just like you need to go, I</p> <p>23 was like you need, you know, to try to see a</p> <p>24 specialist, and she kept saying I'm trying, I'm trying</p> <p>25 to get my insurance and stuff like that, so --</p> |
| <p style="text-align: right;">Page 66</p> <p>1 A. She was -- she had -- she was going to once</p> <p>2 she had her insurance. She had just got the job --</p> <p>3 she just got a job, so she was trying to work to get</p> <p>4 that insurance so she can go see the specialist.</p> <p>5 Q. Beyond trying to get the insurance through</p> <p>6 her job, do you have any idea of what actions were</p> <p>7 being taken to try to get her covered?</p> <p>8 A. I'm not for sure about that.</p> <p>9 Q. Okay. And fair to say then you don't know</p> <p>10 when her insurance actually went into effect and could</p> <p>11 have been used?</p> <p>12 A. Yeah, I'm not for sure about that.</p> <p>13 Q. As far as the appearance of the leg during</p> <p>14 this time frame, would it have been the same swelling</p> <p>15 and redness that whole time?</p> <p>16 A. The redness, it looked like it got -- it</p> <p>17 looked like it got a little bit -- well, like a little</p> <p>18 bit more like redder and then kind of like it was like</p> <p>19 it might -- I just know it got redder. I just know it</p> <p>20 got redder.</p> <p>21 Q. Do you know if the swelling went down or</p> <p>22 stayed the same, increased?</p> <p>23 A. It fluctuate from staying the same to</p> <p>24 increasing and then it would go down to like how it</p> <p>25 was and then -- but like it never looked normal.</p> | <p style="text-align: right;">Page 68</p> <p>1 Q. Did you have any concern with her traveling</p> <p>2 with that leg in that condition?</p> <p>3 A. Well, no, because I thought it was just a leg</p> <p>4 injury. I didn't -- I didn't know the -- how extreme</p> <p>5 it could be.</p> <p>6 Q. So at this point you still think it's just</p> <p>7 her meniscus or her knee?</p> <p>8 A. Yeah, like her leg, knee.</p> <p>9 Q. Do you recall, you know, her mom or stepdad</p> <p>10 or anybody nagging her, you really need to go get that</p> <p>11 checked out, anything like that?</p> <p>12 A. Not that I know of.</p> <p>13 Q. Is she limited in her ability to ambulate?</p> <p>14 Ambulate just means walk.</p> <p>15 A. Oh, like if we was going somewhere, like I</p> <p>16 had to like help her -- I had to help her walk for a</p> <p>17 little -- like if she wasn't using the crutches, like</p> <p>18 she tried to not use the crutches for a little bit and</p> <p>19 that didn't really work, but --</p> <p>20 Q. Was she using the knee immobilizer?</p> <p>21 A. Yes.</p> <p>22 Q. Did you feel like she was using it properly?</p> <p>23 A. Yeah, I felt so because -- I mean, she had it</p> <p>24 on, so --</p> <p>25 Q. I mean, she knew how to put it on, take it</p>                                                                                   |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
69-72

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 69</p> <p>1 off?</p> <p>2 A. Yeah, like she just knew how to put it on,</p> <p>3 take it off, yeah.</p> <p>4 Q. Okay.</p> <p>5 A. And . . .</p> <p>6 Q. I'm going to show you -- we'll mark this as</p> <p>7 Exhibit A, and these are text messages that have been</p> <p>8 produced in this case and it's my understanding or</p> <p>9 impression that they're between yourself and Shalynne;</p> <p>10 is that accurate?</p> <p>11 A. Yes.</p> <p>12 Q. Why don't you look through all three pages</p> <p>13 and make sure those are all between the two of you.</p> <p>14 A. Yes.</p> <p>15 Q. Do you still have the same phone that you had</p> <p>16 when you exchanged these?</p> <p>17 A. No.</p> <p>18 Q. Okay. Do you remember what your phone number</p> <p>19 was at that time?</p> <p>20 A. The same number.</p> <p>21 Q. Okay. What's that number?</p> <p>22 A. (317) 987-3959.</p> <p>23 Q. And what would your carrier have been?</p> <p>24 A. AT&amp;T.</p> <p>25 Q. Just give me one second.</p>                                                                                                                                    | <p style="text-align: right;">Page 71</p> <p>1 MR. GISH: Right?</p> <p>2 THE DEPONENT: Yeah.</p> <p>3 BY MR. TYLER:</p> <p>4 Q. I'm just trying to understand, which of these</p> <p>5 would have been the first text; would it have been the</p> <p>6 one on the first page?</p> <p>7 A. Yeah, it would have been this one, yes.</p> <p>8 Q. Okay. So we would go through these in order,</p> <p>9 223, 224 and 225?</p> <p>10 A. Gotcha, yeah.</p> <p>11 Q. Okay. So this first text, it's got a picture</p> <p>12 of two legs; I'm assuming those are Shalynne's?</p> <p>13 A. Yes.</p> <p>14 Q. And it says, "You can see how swollen they</p> <p>15 are and stop, it's not your fault," with an emoji</p> <p>16 blowing a kiss.</p> <p>17 A. Um-hum.</p> <p>18 Q. That's a text from her to you?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. If you go on to the next page, there's</p> <p>21 a text string that starts on Thursday, June 4th; you</p> <p>22 see where I'm at?</p> <p>23 A. Oh, yes.</p> <p>24 Q. So can I assume that this prior text above</p> <p>25 that was from June 3rd?</p>                                                                                                                                    |
| <p style="text-align: right;">Page 70</p> <p>1 Are you familiar with Shalynne's signature?</p> <p>2 A. No.</p> <p>3 Q. Okay. If I showed you an electronic</p> <p>4 signature, you wouldn't be able to tell one way or the</p> <p>5 other?</p> <p>6 A. Yeah, I wouldn't be able to tell you.</p> <p>7 Q. Just saved us some time.</p> <p>8 Okay, let's turn to these text messages. So</p> <p>9 the first one, when it says to Shalynne, that means</p> <p>10 that -- are these the texts that you were sending to</p> <p>11 her?</p> <p>12 A. Yes, I believe so.</p> <p>13 Q. So did these screen shots come off your</p> <p>14 phone, is basically what I'm getting at?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And this first one -- do they go in</p> <p>17 chronological order, meaning Page 223 is the first one</p> <p>18 and then they go down through 225?</p> <p>19 A. Well, you mean like does like it go one after</p> <p>20 like that?</p> <p>21 Q. Yeah, so what I'm getting at, is this the</p> <p>22 first one in the series or is this the first one?</p> <p>23 MR. GISH: He wants to know if they're in the</p> <p>24 correct order.</p> <p>25 THE DEPONENT: Gotcha.</p> | <p style="text-align: right;">Page 72</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And that would have been the day you</p> <p>3 guys went to the ER?</p> <p>4 A. No, actually, no, that -- yeah, no, that's</p> <p>5 the 3rd, yeah, that would be the 3rd.</p> <p>6 Q. Okay. So this first text we're seeing on</p> <p>7 Bates stamp 223, this would have been something she</p> <p>8 sent to you after you guys left the ER?</p> <p>9 A. Yes, imagine it is.</p> <p>10 Q. Okay. My first question is, do you know what</p> <p>11 the texts were before this on this text string from</p> <p>12 that day?</p> <p>13 A. No.</p> <p>14 Q. Do you still have access to those texts?</p> <p>15 A. I have -- I know I put my phone -- I kept</p> <p>16 that phone, but I don't know -- I gotta go find it.</p> <p>17 Q. Okay. Do you know if you provided additional</p> <p>18 texts other than these three pages to Mr. Gish?</p> <p>19 A. I don't think so. I don't remember,</p> <p>20 honestly.</p> <p>21 Q. So how did you decide that this was where you</p> <p>22 were going to start the screen shots, for lack of a</p> <p>23 better term?</p> <p>24 A. Because I think this is when she first</p> <p>25 started showing me her leg.</p> |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
73-76

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 73</p> <p>1 Q. Okay.</p> <p>2 A. How her leg was looking.</p> <p>3 Q. Okay. Did you think that the stuff before it</p> <p>4 that day weren't important or what was the thought?</p> <p>5 A. Probably. That's probably what it was,</p> <p>6 probably didn't think it was that important.</p> <p>7 Q. Okay. It does sound like, though, you can</p> <p>8 get all of the texts from that day and provide those</p> <p>9 to Mr. Gish?</p> <p>10 A. Yes, if I find the phone.</p> <p>11 Q. Okay. I'd ask if you'd do that, if you can</p> <p>12 find it.</p> <p>13 A. Okay.</p> <p>14 Q. When you say -- when she says it's not your</p> <p>15 fault, am I correct in assuming you were blaming</p> <p>16 yourself for hurting her knee?</p> <p>17 A. Yeah, because I dropped her.</p> <p>18 Q. Okay. And then it goes on on the next page,</p> <p>19 it says, "damn that sucks sorry." Is that you</p> <p>20 responding to that actual text on the page before?</p> <p>21 A. I can't remember.</p> <p>22 Q. Okay. I'm just trying to understand if</p> <p>23 there's any texts missing in the interim between these</p> <p>24 two.</p> <p>25 A. I understand. I don't -- I don't remember.</p>                                                                          | <p style="text-align: right;">Page 75</p> <p>1 Q. Okay.</p> <p>2 A. Because I had to work the next day.</p> <p>3 Q. Okay. So these texts would have been later</p> <p>4 that evening?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Next morning you check in, "How's your</p> <p>7 leg," right, that's you?</p> <p>8 A. Yes.</p> <p>9 Q. She said she hadn't got any meds yet.</p> <p>10 Was she provided a prescription when she left</p> <p>11 the hospital?</p> <p>12 A. I do remember her having to get -- I see it</p> <p>13 now, I do remember her having to get meds, but I'm</p> <p>14 guessing, I think it was like supposed to be like pain</p> <p>15 meds, but I think that's about it. I think she was</p> <p>16 just supposed to get pain meds.</p> <p>17 Q. Okay. So it's your understanding she hadn't</p> <p>18 filled the prescription that she was provided at the</p> <p>19 ER; am I correct?</p> <p>20 A. That she hasn't --</p> <p>21 Q. She hasn't filled the prescription that she</p> <p>22 was provided at the ER yet?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And then you say, "Why not?" And then</p> <p>25 she says, "They never called and" -- and then it</p>                                              |
| <p style="text-align: right;">Page 74</p> <p>1 I'm probably going to say there probably is because</p> <p>2 she's showing me how swollen it is and I'm saying damn</p> <p>3 that sucks sorry that it's so swollen, but I'm not a</p> <p>4 hundred percent sure.</p> <p>5 Q. And when we're looking at this photo, we're</p> <p>6 looking at the knee on the left side?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. So going on to her response, it says,</p> <p>9 "Quit being sorry it's not your fault," laugh out</p> <p>10 loud, or lol, but then it says, "But yeah I wish he</p> <p>11 could just pick them up. But idk" -- I don't know,</p> <p>12 right -- "if they need to be there or not."</p> <p>13 What is she talking about when she says "pick</p> <p>14 them up" and "I don't know if they need to be there or</p> <p>15 not"?</p> <p>16 A. I don't know. I don't remember.</p> <p>17 Q. I mean, it seems like a non sequitur there.</p> <p>18 I'm just trying to understand what she's referencing.</p> <p>19 A. Yeah, I don't remember.</p> <p>20 Q. Okay. So I'm assuming after the ER, does she</p> <p>21 go home to Amy's house?</p> <p>22 A. Yes.</p> <p>23 Q. And you go back to your place?</p> <p>24 A. I went to Amy's for a little bit and then I</p> <p>25 went back to my place.</p> | <p style="text-align: right;">Page 76</p> <p>1 appears that the next page, that text is not finished.</p> <p>2 A. Um-hum.</p> <p>3 Q. Would you agree with me there?</p> <p>4 A. Yes.</p> <p>5 Q. Do you have any idea what that text said?</p> <p>6 A. No, I don't -- like I say, I don't remember.</p> <p>7 Q. We can agree, though, that the next entry</p> <p>8 from Shalynne that says "like always lol" is not a</p> <p>9 continuation of the text from the page before, though?</p> <p>10 A. No.</p> <p>11 Q. Okay. So somewhere this is cut off, and that</p> <p>12 should be somewhere on your phone, if you can find it?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Any recollection at all what she said</p> <p>15 there?</p> <p>16 A. No, just -- no, not really, that's all.</p> <p>17 Q. Any idea either if you did provide that to</p> <p>18 Mr. Gish's office or, if you didn't, why you didn't</p> <p>19 provide that rest of that text?</p> <p>20 A. I don't know, maybe -- maybe there was some</p> <p>21 personal stuff on there I didn't -- wasn't important</p> <p>22 for the case.</p> <p>23 Q. Okay.</p> <p>24 A. But I don't know for sure.</p> <p>25 Q. Do you think that you provided everything in</p> |



LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
77-80

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 77</p> <p>1 this text stream or do you think that you kind of</p> <p>2 picked and chose --</p> <p>3 A. I provided everything that was -- that was</p> <p>4 for the case.</p> <p>5 Q. Okay. And what I'm getting at is, would it</p> <p>6 have been you not providing everything there or would</p> <p>7 you have provided everything there for sure, you're</p> <p>8 just not sure what the attorney would have produced?</p> <p>9 A. I would have provided everything that was</p> <p>10 about the -- that was going to be about the case.</p> <p>11 Q. Okay. I ask you again, if you can find that,</p> <p>12 if you could provide that to Mr. Gish.</p> <p>13 A. Okay.</p> <p>14 Q. So on the next, the final page, 225, Shalynne</p> <p>15 says, "Like always lol." Do you know what she's</p> <p>16 referencing there?</p> <p>17 A. Probably something I said to her personally.</p> <p>18 Q. Okay. And then she says, "nothing I can say</p> <p>19 so go on and believe what you want, bottom line it's</p> <p>20 both of us."</p> <p>21 Do you know what she's referencing there?</p> <p>22 A. Probably that about my -- about me dropping</p> <p>23 her.</p> <p>24 Q. Okay.</p> <p>25 A. That's the only thing I could think of it</p> | <p style="text-align: right;">Page 79</p> <p>1 her employer in this, EmCare.</p> <p>2 MR. GISH: Counsel, can we just go off the</p> <p>3 record for a second?</p> <p>4 MR. WEISS: Yeah.</p> <p>5 (Discussion off the record.)</p> <p>6 BY MR. WEISS:</p> <p>7 Q. Did you and Miss Ramos ever live together?</p> <p>8 A. No.</p> <p>9 Q. And you didn't go back to Missouri with her</p> <p>10 when she left here, correct?</p> <p>11 A. No.</p> <p>12 Q. Okay. So were you ever present at the</p> <p>13 hospital when she was in Missouri?</p> <p>14 A. No.</p> <p>15 Q. Okay. Who notified you of her passing?</p> <p>16 A. Her mom -- wait, of her passing?</p> <p>17 Q. Yeah, or her dying.</p> <p>18 A. Her friend called me to tell me that she</p> <p>19 died.</p> <p>20 Q. Do you know which friend it was?</p> <p>21 A. Kaylyn.</p> <p>22 Q. It was Kaylyn? Okay.</p> <p>23 Do you know when that call was?</p> <p>24 A. It was in the morning, because I was at work.</p> <p>25 Q. So at the hospital on May 3rd, was Miss Ramos</p>                                                                                                                                                                                                                |
| <p style="text-align: right;">Page 78</p> <p>1 would be.</p> <p>2 Q. Okay. And then it's your understanding she's</p> <p>3 -- it looks like she's filling her prescription; is</p> <p>4 that what that reference is about having my meds</p> <p>5 ready?</p> <p>6 A. Yeah, I'm guessing, yeah.</p> <p>7 Q. Okay. Do you know if there's any other texts</p> <p>8 that occurred after this about the condition of her</p> <p>9 knee or photos of her knee?</p> <p>10 A. I don't know.</p> <p>11 Q. Okay. Is that something you could look for</p> <p>12 as well?</p> <p>13 A. Yeah.</p> <p>14 Q. Did you guys communicate about what's going</p> <p>15 on with her knee on any other social media, like</p> <p>16 Instagram or Twitter?</p> <p>17 A. No, just texting. No, just texting.</p> <p>18 Q. Okay.</p> <p>19 A. That was it.</p> <p>20 MR. TYLER: All right, I'll pass the witness.</p> <p>21 Thank you.</p> <p>22 EXAMINATION</p> <p>23 BY MR. WEISS:</p> <p>24 Q. Good morning. My name is Todd Weiss, with</p> <p>25 John Cotton &amp; Associates. I represent Tanya Netz and</p>                                                                                                                                                                                      | <p style="text-align: right;">Page 80</p> <p>1 ever asked about what medications she was taking?</p> <p>2 A. She just told them that she was taking --</p> <p>3 that she was on like birth control, I think.</p> <p>4 Q. So did they ask specifically are you taking</p> <p>5 birth control or did they ask her which medications</p> <p>6 she was taking?</p> <p>7 A. I'm not a hundred percent sure, but probably</p> <p>8 what medicine is she taking.</p> <p>9 Q. Okay. And she responded she was taking birth</p> <p>10 control?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Did she ever communicate about her</p> <p>13 previous knee injury to the medical staff?</p> <p>14 A. Yes.</p> <p>15 Q. Do you remember exactly what she told her --</p> <p>16 told them?</p> <p>17 A. That she -- that she -- that she hurt her</p> <p>18 knee in either December or January, I can't remember</p> <p>19 when it was, but she hurt -- she bust the same knee.</p> <p>20 Q. Okay, so at some point while she was there,</p> <p>21 you -- or I guess she would have -- she told the</p> <p>22 medical providers that I was dropped on the same knee</p> <p>23 that I had previously injured?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Prior to the hospital visit on</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
81-84

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 81</p> <p>1 May 3rd, you said she had knee pain. Was there any</p> <p>2 swelling that you observed?</p> <p>3 A. Yes. When she was at the hospital?</p> <p>4 Q. No, prior to the hospital.</p> <p>5 A. Oh, prior to the hospital. There was when</p> <p>6 she first got there because of the driving.</p> <p>7 Q. Okay.</p> <p>8 A. But after that, it went down.</p> <p>9 Q. So when you say went down, did it return to</p> <p>10 normal or was it just less swollen?</p> <p>11 A. It was less swollen.</p> <p>12 Q. Okay. But was it ever -- was the leg ever</p> <p>13 not swollen prior to the hospital visit?</p> <p>14 A. Like the leg, the leg wasn't swollen, but the</p> <p>15 knee, like the knee area was like, like it was like a</p> <p>16 little, it wasn't --</p> <p>17 Q. Okay, so the knee was a little swollen?</p> <p>18 A. The knee was going down, like it was starting</p> <p>19 to go down. You could tell it was starting to go</p> <p>20 down.</p> <p>21 Q. And that was -- that's in the knee, though,</p> <p>22 correct?</p> <p>23 A. Yeah.</p> <p>24 Q. The leg above it or below it, that wasn't</p> <p>25 swollen?</p>                                                         | <p style="text-align: right;">Page 83</p> <p>1 Q. Have you ever had a chance to review the</p> <p>2 medical records from the visit on May 3rd?</p> <p>3 A. Other than just now, no.</p> <p>4 Q. Okay. Before today?</p> <p>5 A. Yeah, before today, none.</p> <p>6 Q. Okay. You said that she was wearing the knee</p> <p>7 immobilizer after the hospitalization. Do you know</p> <p>8 how long she would wear it or how often?</p> <p>9 A. No, I don't know. I know she wore it, and</p> <p>10 then when it got uncomfortable, she took it off for a</p> <p>11 little bit and then put it back on, but it wasn't --</p> <p>12 like she didn't like go everywhere without it or</p> <p>13 nothing like that.</p> <p>14 Q. Do you know if she was sleeping with it on?</p> <p>15 A. I don't -- well, she did sometimes.</p> <p>16 Sometimes yes, and then like if it was bugging her</p> <p>17 throughout the night, she would take it off, of</p> <p>18 course.</p> <p>19 Q. Okay. Okay. Are you -- have you ever worn a</p> <p>20 knee immobilizer?</p> <p>21 A. No.</p> <p>22 Q. Is that something you're familiar with?</p> <p>23 A. No.</p> <p>24 Q. Okay. There was a note in your affidavit</p> <p>25 about improper pressure from the knee immobilizer.</p> |
| <p style="text-align: right;">Page 82</p> <p>1 A. It was pretty much back to normal, too.</p> <p>2 Q. Okay. When Miss Ramos was asking for the</p> <p>3 MRI, did they ever say that they could -- that the</p> <p>4 medical providers at the hospital, did they ever say</p> <p>5 that they would only give her an MRI if she had</p> <p>6 insurance?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. So they said if you had insurance, we</p> <p>9 could give you an MRI?</p> <p>10 A. Well, not in them exact words, but they was</p> <p>11 like, well, like you don't have insurance, like you</p> <p>12 pretty much don't have insurance for -- to get an MRI</p> <p>13 kind of pretty much.</p> <p>14 Q. Okay. Okay. Did they ever ask her about any</p> <p>15 past surgical procedures that she had undergone?</p> <p>16 A. Not that I can remember.</p> <p>17 Q. Did they ask her if she had any chronic --</p> <p>18 that means long term -- you know, medical situations?</p> <p>19 A. Not that I can remember.</p> <p>20 Q. Okay. And I believe you already testified</p> <p>21 there was no conversations about Miss Ramos'</p> <p>22 ethnicity, correct?</p> <p>23 A. Yes.</p> <p>24 Q. All right.</p> <p>25 A. No conversation about that.</p> | <p style="text-align: right;">Page 84</p> <p>1 What was the -- what's the basis for that statement?</p> <p>2 A. Like why was it improper --</p> <p>3 Q. Yeah, I mean, what makes you think there was</p> <p>4 improper pressure applied by the knee immobilizer?</p> <p>5 A. Well, I mean, I guess it's supposed to</p> <p>6 like -- like because I know she had like a lot of</p> <p>7 discomfort with it.</p> <p>8 Q. Okay.</p> <p>9 A. And I know there was discomfort and probably</p> <p>10 didn't -- I don't know if it was doing what it was</p> <p>11 supposed to do.</p> <p>12 Q. Okay. Do you know how long knee immobilizers</p> <p>13 are supposed to be worn or how often?</p> <p>14 A. No.</p> <p>15 Q. Okay. Did they -- did the providers on</p> <p>16 May 3rd, did they specifically tell Miss Ramos if you</p> <p>17 get insurance, you can come back and we'll do the</p> <p>18 surgery here or did they say you need to go see a</p> <p>19 specialist?</p> <p>20 A. No, they said you need to go see a</p> <p>21 specialist.</p> <p>22 Q. Okay. They never said go get insurance and</p> <p>23 come back here and we'll do the surgery?</p> <p>24 A. No, they never said that.</p> <p>25 Q. Okay. Did Miss Ramos ever mention to the</p>        |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
85-88

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 85</p> <p>1 medical providers that she had, you know, fairly</p> <p>2 recently driven from Missouri to Las Vegas; did the</p> <p>3 trip that she took ever come up in the conversation</p> <p>4 with the medical providers?</p> <p>5 A. Not that I can remember.</p> <p>6 Q. Okay. Do you know if she had a Missouri or a</p> <p>7 Nevada driver's license at that time?</p> <p>8 A. I don't remember.</p> <p>9 Q. Okay. Did any of the medical providers on</p> <p>10 May 3rd ever tell Miss Ramos that she shouldn't seek</p> <p>11 any additional medical care until she got insurance?</p> <p>12 A. Say it one more time.</p> <p>13 Q. Did any of medical providers on May 3rd, did</p> <p>14 they ever tell Miss Ramos you shouldn't go get medical</p> <p>15 care from anybody else until you get insurance?</p> <p>16 A. I want to say yes, they did, they told her</p> <p>17 that, because they said if she doesn't have insurance,</p> <p>18 then she needs to go see a specialist after she gets</p> <p>19 insurance.</p> <p>20 Q. Okay. So they said don't go see a specialist</p> <p>21 until after you get insurance?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Did she ever communicate to any of the</p> <p>24 medical providers that she was going to be getting on</p> <p>25 a plane to go back to Missouri --</p> | <p style="text-align: right;">Page 87</p> <p>1 the leg?</p> <p>2 A. I don't remember seeing her going behind the</p> <p>3 leg, no.</p> <p>4 Q. If I heard you correctly, you testified that</p> <p>5 you don't remember Miss Ramos being asked if she'd</p> <p>6 want to see a physician in the emergency room?</p> <p>7 A. Yeah, that did not happen.</p> <p>8 Q. Did she specifically ask to see a doctor?</p> <p>9 A. I don't remember.</p> <p>10 Q. Okay. Now, Miss Ramos, I mean, did she</p> <p>11 complete the discharge process before leaving? You</p> <p>12 know, did they say, okay, now you're free to go or did</p> <p>13 you guys just get up and go?</p> <p>14 A. They said we're free to --</p> <p>15 MR. GISH: Hold on. Vague and ambiguous.</p> <p>16 Go ahead. Go ahead.</p> <p>17 THE DEPONENT: They said we're free to go.</p> <p>18 BY MR. WEISS:</p> <p>19 Q. Okay. So you waited until they said you're</p> <p>20 free to go then?</p> <p>21 A. Yes.</p> <p>22 MR. WEISS: I believe that's all I have.</p> <p>23 Thank you for your time, Leland.</p> <p>24 MR. GISH: I just have a couple of</p> <p>25 follow-ups.</p>                                                                             |
| <p style="text-align: right;">Page 86</p> <p>1 A. No.</p> <p>2 Q. -- within the next few weeks, anything like</p> <p>3 that?</p> <p>4 A. No.</p> <p>5 Q. Did she ever mention she was going to go back</p> <p>6 to Missouri at all?</p> <p>7 A. No.</p> <p>8 Q. Okay. Does the name Tanya Netz, does that</p> <p>9 ring a bell?</p> <p>10 A. No.</p> <p>11 Q. Would you recognize her if you saw her on the</p> <p>12 street?</p> <p>13 A. Probably not.</p> <p>14 Q. Now, just to get this straight, the physical</p> <p>15 exam that the PA did, did I hear that you said she</p> <p>16 went above and then below the knee?</p> <p>17 A. She went around -- yeah, around the knee.</p> <p>18 Q. Okay, so just around the knee or any other</p> <p>19 place on the leg?</p> <p>20 A. She just pretty much hit the knee. She did a</p> <p>21 little bit -- like she just touched where it was red</p> <p>22 at.</p> <p>23 Q. She touched where it was red?</p> <p>24 A. Yeah.</p> <p>25 Q. Okay. Did that include behind the back of</p>                                                                                                                                                                                                                                                                                                                          | <p style="text-align: right;">Page 88</p> <p>1 EXAMINATION</p> <p>2 BY MR. GISH:</p> <p>3 Q. On the day that you and Shalynne were in the</p> <p>4 hospital, did she have the ability to sign documents?</p> <p>5 A. Yes.</p> <p>6 Q. So you saw her sign other forms -- or you saw</p> <p>7 her signing forms that were given to her?</p> <p>8 A. She filled the forms when we first got in</p> <p>9 there, yes.</p> <p>10 Q. Yes, all right.</p> <p>11 And there's been quite a bit of testimony</p> <p>12 about -- where counsel described the manner in which</p> <p>13 you were gesturing to your leg, and it appeared to</p> <p>14 me -- he said the front half of the leg is where your</p> <p>15 hands were, and it appeared to me that you were</p> <p>16 reaching back further than the front half of the knee.</p> <p>17 A. I was --</p> <p>18 Q. Is my observation correct?</p> <p>19 MR. TYLER: Object to form, asked and</p> <p>20 answered, testimony speaks for itself.</p> <p>21 BY MR. GISH:</p> <p>22 Q. Go ahead.</p> <p>23 A. Well, yeah, I had said -- I said like</p> <p>24 probably like right -- like not the full front, but I</p> <p>25 did like -- I was like right around this, like right</p> |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
89-92

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 89</p> <p>1 around like the middle, like right here, then I went<br/>2 like this.<br/>3 Q. See, he can't see -- he can't see your left<br/>4 hand, what I'm seeing --<br/>5 A. Gotcha.<br/>6 Q. -- on my side.<br/>7 A. Okay. So I went --<br/>8 Q. So show him again.<br/>9 A. Yeah, because I went like this. I went like<br/>10 around here.<br/>11 Q. And at least your ring finger and your pinky<br/>12 seem to be going further back on the leg --<br/>13 A. Yeah.<br/>14 Q. -- than just the front half.<br/>15 A. Yeah.<br/>16 Q. Is my observation correct?<br/>17 A. Yes.<br/>18 Q. All right.<br/>19 MR. GISH: Thank you. I don't have any<br/>20 further questions.<br/>21 MR. TYLER: No questions.<br/>22 FURTHER EXAMINATION<br/>23 BY MR. WEISS:<br/>24 Q. One more thing, Leland. How long -- how long<br/>25 do you estimate the PA's exam was?</p>                                                              | <p style="text-align: right;">Page 91</p> <p>1 A. Yes.<br/>2 Q. And based upon her demeanor?<br/>3 A. Yes.<br/>4 Q. All right.<br/>5 MR. GISH: All right, thank you. Nothing<br/>6 further.<br/>7 MR. TYLER: So you have the opportunity to<br/>8 review this and you can see if there's anything where<br/>9 you misspoke or where you were misheard and you can<br/>10 make those changes like we talked about, and we could<br/>11 potentially comment on if it's a major substantive<br/>12 change.<br/>13 If you're comfortable with your testimony,<br/>14 though, you can waive that and then you don't need to<br/>15 do anything in follow-up, so it's up to you.<br/>16 MR. GISH: Well, do you mail them anymore?<br/>17 THE COURT REPORTER: Can we go off the<br/>18 record?<br/>19 (Discussion off the record.)<br/>20 MR. TYLER: Okay, we had a brief discussion<br/>21 off the record about the logistics of the reviewing of<br/>22 the transcript. It was indicated to you that you<br/>23 could review it at the court reporter's office for the<br/>24 next 30 days or potentially through Mr. Gish's office<br/>25 if he gets a copy.</p> |
| <p style="text-align: right;">Page 90</p> <p>1 A. About probably like five minutes.<br/>2 Q. Are you pretty sure on that?<br/>3 A. About five, ten, yeah.<br/>4 Q. Five, ten?<br/>5 A. Between five, ten. It wasn't no longer than<br/>6 that.<br/>7 Q. Okay.<br/>8 MR. WEISS: And that's all I have.<br/>9 MR. TYLER: Okay, we're done.<br/>10 MR. GISH: Actually, I have a follow-up based<br/>11 on that.<br/>12 FURTHER EXAMINATION<br/>13 BY MR. GISH:<br/>14 Q. Based upon what you observed during the PA's<br/>15 exam, did she appear rushed?<br/>16 A. I mean, she just -- it didn't seem like she<br/>17 was -- I guess, like it didn't seem like she was like<br/>18 fully like, like worried, like, you know, like trying<br/>19 to like really help.<br/>20 Q. So it didn't seem like she cared about what<br/>21 Shalynne was complaining about?<br/>22 A. Yeah.<br/>23 MR. TYLER: Form.<br/>24 BY MR. GISH:<br/>25 Q. Based on what you observed?</p> | <p style="text-align: right;">Page 92</p> <p>1 You're welcome to do that or you can still<br/>2 waive if you don't want to do that. It's up to you.<br/>3 THE DEPONENT: I'll do that.<br/>4 MR. TYLER: Okay. That's it.<br/>5 THE COURT REPORTER: Okay, we're off the<br/>6 record.<br/>7 (Thereupon, the deposition concluded<br/>8 at 11:55 a.m.)<br/>9 (Exhibit A marked.)<br/>10<br/>11<br/>12<br/>13<br/>14<br/>15<br/>16<br/>17<br/>18<br/>19<br/>20<br/>21<br/>22<br/>23<br/>24<br/>25</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

LELAND J. NELSON  
VILELA vs VALLEY HEALTH SYSTEMJuly 09, 2018  
93-96

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: right;">Page 93</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2 STATE OF NEVADA )</p> <p>3 ) ss:</p> <p>4 COUNTY OF CLARK )</p> <p>5 I, Gary F. Decoster, CCR 790, licensed by the</p> <p>6 State of Nevada, do hereby certify: That I reported</p> <p>7 the deposition of LELAND JAMES NELSON, on Monday,</p> <p>8 July 9, 2018, commencing at 10:00 a.m.</p> <p>9 That prior to being deposed, the witness was</p> <p>10 duly sworn by me to testify to the truth. That I</p> <p>11 thereafter transcribed my said stenographic notes via</p> <p>12 computer-aided transcription into written form, and</p> <p>13 that the typewritten transcript is a complete, true</p> <p>14 and accurate transcription of my said stenographic</p> <p>15 notes. That review of the transcript was requested.</p> <p>16 I further certify that I am not a relative,</p> <p>17 employee or independent contractor of counsel or of</p> <p>18 any of the parties involved in the proceeding, nor a</p> <p>19 person financially interested in the proceeding, nor</p> <p>20 do I have any other relationship that may reasonably</p> <p>21 cause my impartiality to be questioned.</p> <p>22 IN WITNESS WHEREOF, I have set my hand in my</p> <p>23 office in the County of Clark, State of Nevada, this</p> <p>24 22nd day of July, 2018.</p> <p>25 _____</p> <p style="text-align: center;">GARY F. DECOSTER, CCR NO. 790</p> | <p style="text-align: right;">Page 95</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 Page No. _____ Line No. _____ Change to: _____</p> <p>3 _____</p> <p>4 Reason for change: _____</p> <p>5 Page No. _____ Line No. _____ Change to: _____</p> <p>6 _____</p> <p>7 Reason for change: _____</p> <p>8 Page No. _____ Line No. _____ Change to: _____</p> <p>9 _____</p> <p>10 Reason for change: _____</p> <p>11 Page No. _____ Line No. _____ Change to: _____</p> <p>12 _____</p> <p>13 Reason for change: _____</p> <p>14 Page No. _____ Line No. _____ Change to: _____</p> <p>15 _____</p> <p>16 Reason for change: _____</p> <p>17 Page No. _____ Line No. _____ Change to: _____</p> <p>18 _____</p> <p>19 Reason for change: _____</p> <p>20 Page No. _____ Line No. _____ Change to: _____</p> <p>21 _____</p> <p>22 Reason for change: _____</p> <p>23 _____</p> <p>24 SIGNATURE: _____ DATE: _____</p> <p>25 LELAND JAMES NELSON</p> |
| <p style="text-align: right;">Page 94</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 _____</p> <p>3 _____</p> <p>4 Our Assignment No. J2262034</p> <p>5 Case Caption: VILELA vs. VALLEY HEALTH</p> <p>6 _____</p> <p>7 DECLARATION UNDER PENALTY OF PERJURY</p> <p>8 _____</p> <p>9 I declare under penalty of perjury that I</p> <p>10 have read the entire transcript of my Deposition taken</p> <p>11 in the captioned matter or the same has been read to</p> <p>12 me, and the same is true and accurate, save and except</p> <p>13 for changes and/or corrections, if any, as indicated</p> <p>14 by me on the DEPOSITION ERRATA SHEET hereof, with the</p> <p>15 understanding that I offer these changes as if still</p> <p>16 under oath.</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 Signed on the _____ day of _____,</p> <p>21 _____, 20____.</p> <p>22 _____</p> <p>23 _____</p> <p style="text-align: center;">LELAND JAMES NELSON</p> <p>24 _____</p> <p>25 _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p style="text-align: right;">Page 96</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 Page No. _____ Line No. _____ Change to: _____</p> <p>3 _____</p> <p>4 Reason for change: _____</p> <p>5 Page No. _____ Line No. _____ Change to: _____</p> <p>6 _____</p> <p>7 Reason for change: _____</p> <p>8 Page No. _____ Line No. _____ Change to: _____</p> <p>9 _____</p> <p>10 Reason for change: _____</p> <p>11 Page No. _____ Line No. _____ Change to: _____</p> <p>12 _____</p> <p>13 Reason for change: _____</p> <p>14 Page No. _____ Line No. _____ Change to: _____</p> <p>15 _____</p> <p>16 Reason for change: _____</p> <p>17 Page No. _____ Line No. _____ Change to: _____</p> <p>18 _____</p> <p>19 Reason for change: _____</p> <p>20 Page No. _____ Line No. _____ Change to: _____</p> <p>21 _____</p> <p>22 Reason for change: _____</p> <p>23 _____</p> <p>24 SIGNATURE: _____ DATE: _____</p> <p>25 LELAND JAMES NELSON</p> |